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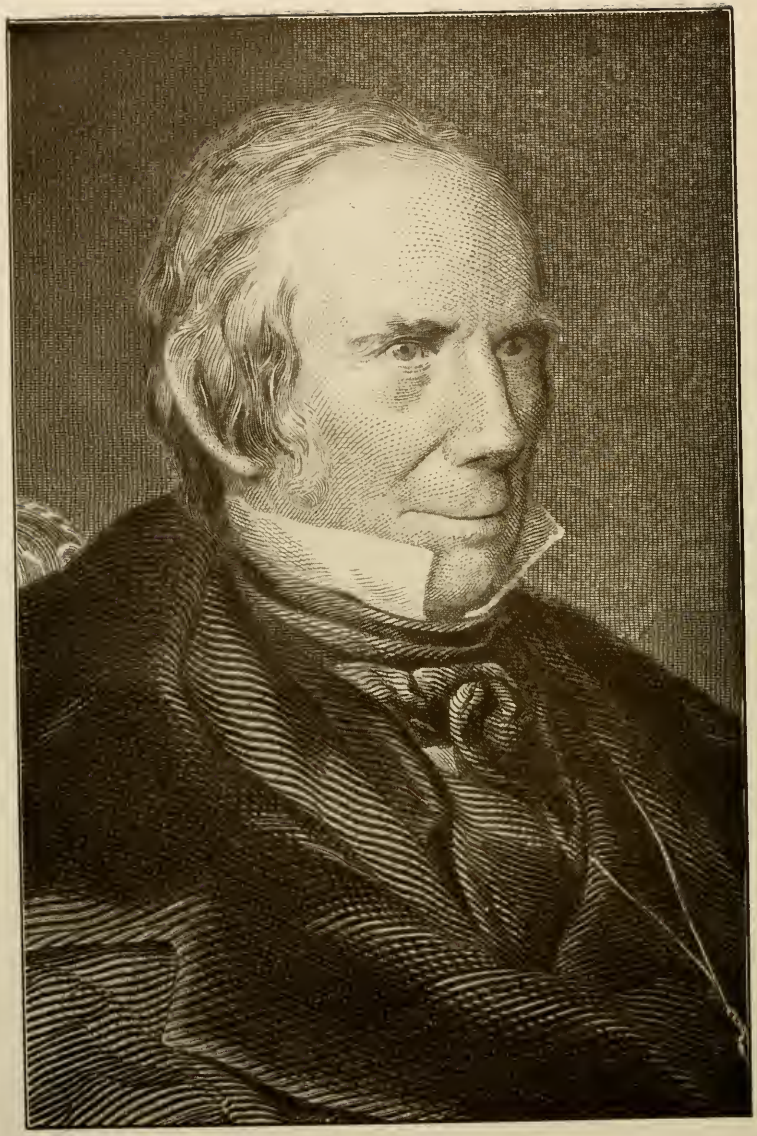

HENRY CLAY

# MASTERPIECES OF ELOQUENCE

## FAMOUS ORATIONS OF GREAT WORLD LEADERS FROM EARLY GREECE TO THE PRESENT TIME


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# ORATIONS

# WIRT

WILLIAM WIRT, a noted American lawyer and orator, was born at Bladensburg, Maryland, November 8, 1772. After an education obtained at several classical schools he studied law, was admitted to the bar in 1792, and began the practice of his profession at Culpeper Court House, Virginia. Having won some notice as a lawyer he removed to Richmond in 1799; there becoming, first, clerk of the House of Delegates, and later, chancellor of the eastern district of Virginia. He was one of the prosecuting counsel in the trial of Aaron Burr in 1807, the principal speech which he delivered on this occasion occupying four hours. It still remains his most admired effort and is familiar to most readers. Less noted, but still noteworthy speeches by Wirt are those on the deaths of Jefferson and Adams in 1826, and one at Rutgers College in 1830. Wirt removed to Washington in 1817 on his appointment as attorney-general of the United States, but he resigned this post at the end of twelve years and for the rest of his life pursued the practice of his profession in Baltimore. His death occurred at Washington, February 18, 1834. Wirt's early style of oratory was somewhat ornate, but in later life it assumed a more sober, dignified character, his speeches being then remarkable for their close reasoning, discrimination, and keen analysis. He was unusually fine-looking and possessed a clear, melodious voice and a calm, self-possessed manner of delivery. His writings include "Letters of the British Spy," 1803; "The Old Bachelor," a series of essays, 1812; "The Two Principal Arguments in the Trial of Aaron Burr," 1808; "Sketches of the Life and Character of Patrick Henry," 1817.

## SPEECH IN THE TRIAL OF AARON BURR

[In May, 1807, Aaron Burr was arraigned in the Circuit Court of the United States, held at Richmond, Virginia, for treason in preparing the means of a military expedition against the possessions of the King of Spain, with whom the United States were at peace. Under the direction of President Jefferson Mr. Wirt was retained to assist the United States attorney in the prosecution, and in the course of the trial he spoke as follows:]

MAY IT PLEASE YOUR HONORS,—It is my duty to proceed, on the part of the United States, in opposing this motion. But I should not deem it my duty to oppose it if it were founded on correct principles. I stand here with the same independence of action which belongs to the attorney of the United States; and as he would certainly

relinquish the prosecution the moment he became convinced of its injustice, so also most certainly would I. The humanity and justice of this nation would revolt at the idea of a prosecution pushed on against a life which stood protected by the laws; but whether they would or not, I would not plant a thorn, to rankle for life in my heart, by opening my lips in support of a prosecution which I felt and believed to be unjust.

But believing, as I do, that this motion is not founded in justice, that it is a mere manœuvre to obstruct the inquiry, to turn it from the proper course, to wrest the trial of the facts from the proper tribunal, the jury, and embarrass the court with a responsibility which it ought not to feel, I hold it my duty to proceed — for the sake of the court, for the sake of vindicating the trial by jury, now sought to be violated, for the sake of full and ample justice in this particular case, for the sake of the future peace, union, and independence of these States, I feel it my bounden duty to proceed. In doing which I beg that the prisoner and his counsel will recollect the extreme difficulty of clothing my argument in terms which may be congenial with their feelings.

The gentlemen appear to me to feel a very extraordinary and unreasonable degree of sensibility on this occasion. They seem to forget the nature of the charge and that we are the prosecutors. We do not stand here to pronounce a panegyric on the prisoner, but to urge on him the crime of treason against his country. When we speak of treason we must call it treason. When we speak of a traitor we must call him a traitor. When we speak of a plot to dismember the Union, to undermine the liberties of a great portion of the people of this country, and subject them to a usurper and a despot, we are obliged to use the terms which convey those ideas.

Why then are gentlemen so sensitive? Why on these occasions, so necessary, so unavoidable, do they shrink back with so much agony of nerve as if, instead of a hall of justice, we were in a drawing-room with Colonel Burr and were barbarously violating towards him every principle of decorum and humanity?

Mr. Wickham has, indeed, invited us to consider the subject abstractly, and we have been told that it is expected to be so considered; but, sir, if this were practicable, would there be no danger in it? Would there be no danger, while we were mooting points, pursuing ingenious hypotheses, chasing elementary principles over the wide extended plains and Alpine heights of abstract law, that we should lose sight of the great question before the court?

This may suit the purposes of the counsel for the prisoner; but it does not, therefore, necessarily suit the purposes of truth and justice. It will be proper, when we have derived a principle from law or argument, that we should bring it to the case before the court, in order to test its application and its practical truth. In doing which we are driven into the nature of the case and must speak of it as we find it.

But, besides, the gentlemen have themselves rendered this totally abstract argument completely impossible; for one of their positions is that there is no overt act proven at all. Now, that an overt act consists of fact and intention has been so often repeated here that it has a fair title to Justice Vaughan's epithet of a "decantatum." In speaking then of this overt act we are compelled to inquire, not merely into the fact of the assemblage, but the intention of it; in doing which we must examine and develop the whole project of the prisoner. It is obvious, therefore, that an abstract examination of this point cannot be made; and since the gentlemen

drive us into the examination they cannot complain if, without any softening of lights or deepening of shades, we exhibit the picture in its true and natural state.

This motion is a bold and original stroke in the noble science of defence. It marks the genius and hand of a master. For it gives to the prisoner every possible advantage, while it gives him the full benefit of his legal defence — the sole defence which he would be able to make to the jury if the evidence were all introduced before them. It cuts off from the prosecution all that evidence which goes to connect the prisoner with the assemblage on the island, to explain the destination and objects of the assemblage, and to stamp beyond controversy the character of treason upon it. Connect this motion with that which was made the other day, to compel us to begin with the proof of the overt act, in which, from their zeal, gentlemen were equally sanguine, and observe what would have been the effect of success in both motions? We should have been reduced to the single fact, the individual fact, of the assemblage on the island, without any of the evidence which explains the intention and object of that assemblage. Thus gentlemen would have cut off all the evidence which carries up the plot almost to its conception, which, at all events, describes the first motion which quickened it into life, and follows its progress until it attained such strength and maturity as to throw the whole western country into consternation.

Thus, of the world of evidence which we have, we should have been reduced to the speck, the atom which relates to Blennerhassett's Island. General Eaton's deposition (hitherto so much and so justly revered as to its subject), standing by itself would have been without the powerful fortification derived from the corroborative evidence of Commodore

Truxton and the still stronger and most extraordinary coincidence of the Morgans. Standing alone, gentlemen would have still proceeded to speak of that affidavit as they have heretofore done; not declaring that what General Eaton had sworn was not the truth, but that it was a most marvellous story! a most wonderful tale! and thus would they have continued to seek, in the bold and wild extravagance of the project itself, an argument against its existence and a refuge from public indignation.

But that refuge is taken away. General Eaton's narration stands confirmed beyond the possibility of rational doubt. But I ask what inference is to be drawn from these repeated attempts to stifle the prosecution and smother the evidence? If the views of the prisoner were, as they have been so often represented by one of his counsel, highly honorable to himself and glorious to his country, why not permit the evidence to disclose these views?

Accused as he is of high treason, he would certainly stand acquitted, not only in reason and justice, but by the maxims of the most squeamish modesty, in showing us by evidence all this honor and this glory which his scheme contained.

No, sir, it is not squeamish modesty; it is not fastidious delicacy that prompts these repeated efforts to keep back the evidence; it is apprehension; it is alarm; it is fear; or rather it is the certainty that the evidence, whenever it shall come forward, will fix the charge; and if such shall appear to the court to be the motive of this motion, your honors, I well know, will not be disposed to sacrifice public justice, committed to your charge, by aiding this stratagem to elude the sentence of the law; you will yield to the motion no further than the rigor of legal rules shall imperiously constrain you.

I shall proceed now to examine the merits of the motion

itself, and to answer the argument of the gentleman [Mr. Wickham], who opened it. I will treat that gentleman with candor. If I misrepresent him, it will not be intentionally. I will not follow the example which he has set me on a very recent occasion. I will not complain of flowers and graces where none exist. I will not, like him, in reply to an argument as naked as a sleeping Venus, but certainly not half so beautiful, complain of the painful necessity I am under, in the weakness and decrepitude of logical vigor, of lifting first this flounce and then that furbelow before I can reach the wished-for point of attack. I keep no flounces or furbelows ready manufactured and hung up for use in the millinery of my fancy, and if I did, I think I should not be so indiscreetly impatient to get rid of my wares as to put them off on improper occasions.

I cannot promise to interest you by any classical and elegant allusions to the pure pages of "Tristram Shandy." I cannot give you a squib or a rocket in every period. For my own part, I have always thought these flashes of wit (if they deserve that name), I have always thought these meteors of the brain, which spring up with such exuberant abundance in the speeches of that gentleman, which play on each side of the path of reason, or, sporting across it with fantastic motion, decoy the mind from the true point in debate, no better evidence of the soundness of the argument with which they are connected, nor, give me leave to add, the vigor of the brain from which they spring, than those vapors which start from our marshes and blaze with a momentary combustion, and which, floating on the undulations of the atmosphere, beguile the traveler into bogs and brambles, are evidences of the firmness and solidity of the earth from which they proceed.

I will endeavor to meet the gentleman's propositions in their

full force and to answer them fairly. I will not, as I am advancing towards them with my mind's eye, measure the height, breadth, and power of the proposition; if I find it beyond my strength, halve it; if still beyond my strength, quarter it; if still necessary, subdivide it into eighths; and when by this process I have reduced it to the proper standard take one of these sections and toss it, with an air of elephantine strength and superiority.

If I find myself capable of conducting, by a fair course of reasoning, any one of his propositions to an absurd conclusion, I will not begin by stating that absurd conclusion as the proposition itself which I am going to encounter. I will not, in commenting on the gentleman's authorities, thank the gentleman, with sarcastic politeness for introducing them, declare that they conclude directly against him, read just so much of the authority as serves the purpose of that declaration, omitting that which contains the true point of the case which makes against me; nor, if forced by a direct call to read that part also, will I content myself by running over it as rapidly and inarticulately as I can, throw down the book with a theatrical air, and exclaim, "Just as I said," when I know it is just as I had not said.

I know that by adopting these arts I might raise a laugh at the gentleman's expense; but I should be very little pleased with myself if I were capable of enjoying a laugh procured by such means. I know, too, that by adopting such arts there will always be those standing around us who have not comprehended the whole merits of the legal discussion, with whom I might shake the character of the gentleman's science and judgment as a lawyer. I hope I shall never be capable of such a wish, and I had hoped that the gentleman himself felt so strongly that proud, that high, aspiring, and ennobling

magnanimity which I had been told conscious talents rarely fail to inspire, that he would have disdained a poor and fleeting triumph gained by means like these.

I proceed now to answer the several points of his argument, so far as they could be collected from the general course of his speech. I say, so far as they could be collected; for the gentleman, although requested before he began, refused to reduce his motion to writing. It suited better his partisan style of warfare to be perfectly at large; to change his ground as often as he pleased; on the plains of Monmouth to-day, at the Eutaw Springs to-morrow. He will not censure me, therefore, if I have not been correct in gathering his points from a desultory discourse of four or five hours' length, as it would not have been wonderful if I had misunderstood him. I trust, therefore, that I have been correct; it was my intention to be so; for I can see neither pleasure nor interest in misrepresenting any gentleman; and I now beg the court, and the gentleman, if he will vouchsafe it, to set me right if I have misconceived him.

I understood him, then, sir, to resist the introduction of further evidence under this indictment by making four propositions.

First. Because Aaron Burr, not being on the island at the time of the assemblage, cannot be a principal in the treason, according to the constitutional definition or the laws of England.

Second. Because the indictment must be proved as laid; and as the indictment charges the prisoner with levying war, with an assemblage on the island, no evidence to charge him with that act, by relation, is relevant to this indictment.

Third. Because, if he be a principal in the treason at all, he is a principal in the second degree; and, his guilt being of that kind which is termed derivative, no parol evidence can be let in to charge him until we shall show a record of the conviction of the principals in the first degree.

Fourth. Because no evidence is relevant to connect the prisoner with others, and thus to make him a traitor by relation, until we shall previously show an act of treason in these others; and the assemblage on the island was not an act of treason.

I beg leave to take up these propositions in succession, and to give them those answers which to my mind are satisfactory. Let us examine the first: it is because Aaron Burr, not being present on the island at the time of the assemblage, cannot be a principal in the treason within the constitutional definition or the laws of England.

In many of the gentleman's general propositions I perfectly accord with him: as that the constitution was intended to guard against the calamities to which Montesquieu refers when he speaks of the victims of treason; that the constitution intended to guard against arbitrary and constructive treasons; that the principles of sound reason and liberty require their exclusion; and that the constitution is to be interpreted by the rules of reason and moral right.

I fear, however, that I shall find it difficult to accommodate both the gentlemen who have spoken in support of the motion, and to reconcile some of the positions of Mr. Randolph to the rules of Mr. Wickham; for, while the one tells us to interpret the constitution by sound reason, the other exclaims, "Save us from the deductions of common sense." What rule then shall I adopt? A kind of reason which is not common sense might indeed please both the gentlemen; but, as that is a species of reason of which I have no very distinct conception, I hope the gentlemen will excuse me for not employing it. Let us return to Mr. Wickham.

Having read to us the constitutional definition of treason, and given us the rule by which it was to be interpreted, it was natural to expect that he would have proceeded directly to

apply that rule to the definition and give us the result. But while we were expecting this, even while we have our eyes on the gentleman, he vanishes like a spirit from American ground, and we see him no more until we see him in England, resurging by a kind of intellectual magic in the middle of the sixteenth century, complaining most dolefully of my Lord Coke's bowels.

Before we follow him in this excursion it may be well to inquire what it was that induced him to leave the regular track of his argument. I will tell you what it was. It was, sir, the decision of the supreme court in the case of Bollman and Swartwout. It was the judicial exposition of the constitution by the highest court in the nation, upon the very point which the gentleman was considering, which made him take this flight to England; because it stared him in the face and contradicted his position.

Sir, if the gentleman had believed this decision to be favorable to him, we should have heard of it in the beginning of his argument; for the path of inquiry in which he was led him directly to it.

Interpreting the American constitution, he would have preferred no authority to that of the supreme court of the country. Yes, sir, he would have immediately seized this decision with avidity. He would have set it before you in every possible light. He would have illustrated it. He would have adorned it. You would have seen it under the action of his genius appear with all the varying grandeur of our mountains in the morning sun. He would not have relinquished it for the common law, nor have deserted a rock so broad and solid, to walk upon the waves of the Atlantic.

But he knew that this decision closed against him completely the very point which he was laboring. Hence it was

that the decision was kept so sedulously out of view until from the exploded materials of the common law he thought he had reared a Gothic edifice so huge and so dark as quite to overshadow and eclipse it. Let us bring it from this obscurity into the face of day. We who are seeking truth and not victory, whether right or wrong, have no reason to turn our eyes from any source of light which presents itself, and least of all from a source so high and so respectable as the decision of the supreme court of the United States.

The inquiry is, whether presence at the overt act be necessary to make a man a traitor? The gentlemen say that it is necessary; that he cannot be a principal in the treason without actual presence. What says the supreme court in the case of Bollman and Swartwout?

"It is not the intention of the court to say that no individual can be guilty of this crime who has not appeared in arms against his country; on the contrary, if war be actually levied, that is, if a body of men be assembled for the purpose of effecting by force a treasonable purpose, all those who perform any part, however minute, or however remote from the scene of action, and who are actually leagued in the general conspiracy, are to be considered as traitors."

Here then we find the court so far from requiring presence that it expressly declares that, however remote the accused may have been from the scene of the treasonable assemblage, he is still involved in the guilt of that assemblage, his being leagued in the general conspiracy was sufficient to make the act his own.

The supreme court, being of that opinion, proceeded to an elaborate examination of the evidence, to ascertain whether there had been a treasonable assemblage. It looked to the depositions of General Eaton and General Wilkinson, the ciphered letter, the declaration of Swartwout that Burr was

levying an armed body of seven thousand men; and it looked to these parts of the evidence expressly for the purpose of discovering whether it were probable that Burr had actually brought these men together; not whether Bollman and Swartwout were present at any such assemblage.

It knew that, if any such assemblage had taken place, Bollman and Swartwout must have been at that time at the city of Orleans, or on their way thither; indeed the whole reasoning of the court proceeded on the fact, as admitted, of the prisoner's absence. Why, then, the laborious investigation which the court makes as to the probability of Burr having brought his men or any part of them together, unless the guilt of that assemblage were to be imputed to Bollman and Swartwout? If their absence were sufficient to excuse them, that fact was admitted, and the inquiry would have been a very short one. But, the court having previously decided that the fact of presence or absence was unimportant, that it made no odds how far distant the accused might be from the treasonable assemblage, it became the unavoidable duty of the court to proceed to the inquiry whether any such assemblage had taken place; and if the evidence had manifested that fact to its satisfaction, it is clear that, in the opinion of that court, the prisoners would have been as deeply involved in the guilt of that assemblage as any of those who actually composed it.

The counsel knew that their first point was met directly by the counter authority of the supreme court. They have impliedly, if not expressly, admitted it; hence they have been reduced to the necessity of taking the bold and difficult ground that the passage which I have read is extra-judicial, a mere *obiter dictum*. They have said this, but they have not attempted to show it.

Give me leave to show that they are mistaken; that it is

not an *obiter dictum*, that it is not extra-judicial; but that it is a direct adjudication of a point immediately before the court. What were the questions before the court? The court made no formal division of this subject, but these questions are necessarily and irresistibly involved in it. It must first be observed that the arrest of Bollman and Swartwout at New Orleans, and the fact that they had not been present at any assemblage of the traitors in arms, were notorious and admitted. The case then presented to the court three distinct questions.

First. Has Aaron Burr committed treason, or has he been engaged or leagued in any treasonable conspiracy?

Second. Were Bollman and Swartwout connected with him?

Third. Could they be guilty of treason without being actually present? Now, if the court had been satisfied that there had been an overt act, and that these men were leagued in the conspiracy which produced it, still it would have remained a distinct and substantive question whether their absence from the overt act and their having no immediate hand in it did not discharge them from the constitutional guilt of levying war; for, though leagued in the conspiracy, and although there might have been an overt act, these men would have been innocent if presence at the overt act were necessary to make them guilty.

The question then, of presence or absence, was a question really presented by the case of Bollman and Swartwout. It was one important to the decision of the case, and the court, thinking it so, did consider and decide it in direct opposition to the principle contended for on the other side.

A plain man would imagine that when the supreme court had taken up and decided the case its decision would form a

precedent on the subject; and, having that authority on my side, I should suppose that I might safely dismiss the gentleman's first point. But Mr. Randolph seems to think it very doubtful whether you ought to be bound by that authority, and that you must be very much embarrassed to have to decide it, even admitting it to be a regular judicial determination of this question; for he made a very pathetic and affecting apostrophe to the situation in which you would be placed if you differed from this opinion of the supreme court.

I see no difficulty in the case if our laws are to be uniform. How can the inferior court control the decisions of the superior court? You are but a branch of the supreme court. If you, sir, sitting as a circuit court, have a right to disegard the rule decided by the supreme court, and adopt a different rule, every other inferior court has an equal right to do the same, so that there will be as many various rules as to treason as there are courts; and the result might be, and certainly would be, that what would be treason in one circuit would not be treason in another; and a man might be hanged in Pennsylvania for an act against the United States of which he would be held perfectly innocent in Virginia.

Thus treason against the United States would still be unsettled and fluctuating, and the object of the constitution in defining it would be disappointed and defeated; whereas a principle of law solemnly adjudged by the supreme court becomes, I apprehend, the law of the land; and all the inferior courts are compulsorily bound by it. To say that they are not is to disorganize the whole judiciary system, to confound the distinctions and grades of the courts, to banish all certainty and stability from the law, and to destroy all uniformity of decision. I trust that we are not prepared to rush into this wild disorder and confusion, but that we shall temperately and

regularly conform to the decrees of that parent court, of which this is a mere branch, until those decrees shall be changed by the same high authority which created them.

But for a moment let us relinquish that decision, and, putting it aside, let us indulge the gentleman with the inquiry whether that decision be in conformity with the constitution of the United States and the laws of England. In interpreting the constitution let us apply to it the gentleman's own principles: the rules of reason and moral right. The question to be thus determined is whether a man who is absent may not be guilty as if he were actually present.

That a law should be so construed as to advance the remedy and repress the mischief is not more a rule of common law than a principle of reason; it applies to penal as well as to remedial laws. So also the maxim of the common law, that a law as well as a covenant should be so construed that its object may rather prevail than perish, is one of the plainest dictates of common sense.

Apply these principles to the constitution. Gentlemen have said that its object was to prevent the people from being harassed by arbitrary and constructive treason. But its object, I presume, was not to declare that there was no such crime. It certainly did not mean to encourage treason. It meant to recognize the existence of the crime and provide for its punishment. The liberties of the people, which required that the offence should be defined, circumscribed, and limited, required also that it should be certainly and adequately punished.

The framers of the constitution, informed by the examples of Greece and Rome, and foreseeing that the liberties of this Republic might one day or other be seized by the daring ambition of some domestic usurper, have given peculiar im-

portance and solemnity to the crime by engrafting it upon the constitution. But they have done this in vain if the construction contended for on the other side is to prevail. If it require actual presence at the scene of the assemblage to involve a man in the guilt of treason, how easy will it be for the principal traitor to avoid this guilt and escape punishment forever! He may go into distant States, from one State to another. He may secretly wander, like a demon of darkness, from one end of the continent to the other.

He may enter into the confidence of the simple and unsuspecting. He may pour his poison into the minds of those who were before innocent. He may seduce them into a love of his person, offer them advantages, pretend that his measures are honorable and beneficial, connect them in his plot and attach them to his glory. He may prepare the whole mechanism of the stupendous and destructive engine and put it in motion. Let the rest be done by his agents. He may then go a hundred miles from the scene of action. Let him keep himself only from the scene of the assemblage and the immediate spot of battle, and he is innocent in law, while those whom he has deluded are to suffer the death of traitors! Who is the most guilty of this treason, the poor, weak, deluded instruments, or the artful and ambitious man who corrupted and misled them? There is no comparison between his guilt and theirs; and yet you secure impunity to him while they are to suffer death! Is this according to the rules of reason? Is this moral right? Is this a means of preventing treason? Or rather, is it not in truth a direct invitation to it? Sir, it is obvious that neither reason nor moral rights require actual presence at the overt act to constitute the crime of treason. Put this case to any common man, whether the absence of a corrupter should exempt him from punishment for the crime

which he has excited his deluded agents to commit; and he will instantly tell you that he deserves infinitely more severe punishment than his misguided instruments. There is a moral sense much more unerring in questions of this sort than the frigid deductions of jurists or philosophers; and no man of a sound mind and heart can doubt for a moment between the comparative guilt of Aaron Burr (the prime mover of the whole mischief), and the poor men on Blennerhassett's Island, who called themselves Burr's men. In the case of murder, who is the most guilty, the ignorant, deluded perpetrator, or the abominable instigator? The decision of the supreme court, sir, is so far from being impracticable on the ground of reason and moral right, that it is supported by their most obvious and palpable dictates.

Give to the constitution the construction contended for on the other side, and you might as well expunge the crime from your criminal code; nay, you had better do it, for by this construction you hold out the lure of impunity to the most dangerous men in the community, men of ambition and talents, while you loose the vengeance of the law on the comparatively innocent. If treason ought to be repressed, I ask you who is the most dangerous and the most likely to commit it — the mere instrument who applies the force, or the daring, aspiring, elevated genius who devises the whole plot, but acts behind the scenes? . . .

I come now, sir, to the gentleman's third point, in which he says he cannot possibly fail. It is this:

"Because, if the prisoner be a principal in the treason at all, he is a principal in the second degree; and, his guilt being of that kind which is termed derivative, no further parol evidence can be let in to charge him until we show a record of the conviction of the principals in the first degree."

By this I understand the gentleman to advance, in other terms, the common-law doctrine that when a man is rendered a principal in treason by acts which would make him an accessory in felony he cannot be tried before the principal in the first degree.

I understand this to be the doctrine of the common law as established by all the authorities; but when I concede this point I insist that it can have no effect in favor of the accused for two reasons: first, because it is the mere creature of the common law; secondly, because, if the common law of England be our law, this position assumes what is denied, that the conduct of the prisoner in this case is of an accessorial nature, or such as would make him an accessory in felony.

First. Because this position is the mere creature of the common law. If it be so, no consequence can be deduced from it. It is sufficient, on this branch of the subject, to take his own declaration that the common law does not exist in this country. If we examine the constitution and the act of Congress we shall find that this idea of a distinction between principals in the first and second degree depends entirely upon the common law. Neither the constitution nor the act of Congress knows any such distinction.

All who levy war against the United States, whether present or absent — all who are leagued in the conspiracy, whether on the spot of the assemblage or performing some minute and inconsiderable part in it a thousand miles from the scene of action — incur equally the sentence of the law; they are all equally traitors. This scale, therefore, which graduates the guilt of the offenders and establishes the order of their respective trials, if it ever existed here, is completely abrogated by the highest authorities in this country. The convention which formed the constitution and defined treason, Congress which

legislated on that subject, and the supreme judiciary of the country expounding the constitution and the law, have united in its abrogation.

But let us for a moment put the convention, Congress, and judiciary aside, and examine how the case will stand. Still this scale of moral guilt, which Mr. Wickham has given us, is the creature of the common law, which, as already observed, he himself in another branch of his argument has emphatically told us does not exist in this country. He has stated that the creature presupposes the creator, and that where the creator does not exist the creature cannot.

The common law, then, being the creator of the rule which Mr. Wickham has given us, and that common law not existing in this country, neither can the rule, which is the mere creature of it, exist in this country. So that the gentleman has himself furnished the argument which refutes this infallible point of his, on which he has so much relied. But to try this position to its utmost extent, let us not only put aside the constitution and act of Congress and decision of the supreme court, but let us admit that the common law does exist here. Still, before the principle could apply, it would remain to be proven that the conduct of the prisoner in this case has been accessorial; or, in other words, that his acts in relation to this treason are of such a nature as would make him an accessory in felony.

But is this the case? It is a mere *petitio principii.* It is denied that his acts are such as would make him an accessory in felony. I have already, in another branch of this subject, endeavored to show, on the grounds of authority and reason, that a man might be involved in the guilt of treason as a principal, by being legally though not actually present; that treason occupied a much wider space than felony; that

the scale of proximity between the accessory and principal must be extended in proportion to the extent of the theatre of the treason; and that, as the prisoner must be considered as legally present, he could not be an accessory but a principal. If I have succeeded in this, I have in fact proved that his conduct cannot be deemed accessorial.

But an error has taken place from considering the scene of the overt act as the theatre of the treason, from mistaking the overt act of the treason itself, and consequently from referring the conduct of the prisoner to the acts on the island. The conduct of Aaron Burr has been considered in relation to the overt act on Blennerhassett's Island only; whereas it ought to be considered in connection with the grand design, the deep plot of seizing Orleans, separating the Union, and establishing an independent empire in the west, of which the prisoner was to be the chief. It ought to be recollected that these were his objects, and that the whole western country, from Beaver to Orleans, was the theatre of his treasonable operations. It is by this first reasoning that you are to consider whether he be a principal or an accessory, and not by limiting your inquiries to the circumscribed and narrow spot in the island where the acts charged happened to be performed.

Having shown, I think, on the ground of law, that the prisoner cannot be considered as an accessory, let me press the inquiry whether on the ground of reason he be a principal or accessory; and remember that his project was to seize New Orleans, separate the Union, and erect an independent empire in the west, of which he was to be the chief. This was the destination of the plot and the conclusion of the drama. Will any man say that Blennerhassett was the principal, and Burr but an accessory? Who will believe that Burr, the author

and projector of the plot, who raised the forces, who enlisted the men, and who procured the funds for carrying it into execution, was made a cat's-paw of?

Will any man believe that Burr, who is a soldier, bold, ardent, restless and aspiring, the great actor whose brain conceived, and whose hand brought the plot into operation, that he should sink down into an accessory, and that Blennerhassett should be elevated into a principal? He would startle at once at the thought. Aaron Burr, the contriver of the whole conspiracy, to everybody concerned in it was as the sun to the planets which surround him. Did he not bind them in their respective orbits and give them their light, their heat, and their motion? Yet he is to be considered as accessory, and Blennerhassett is to be the principal!

Let us put the case between Burr and Blennerhassett. Let us compare the two men and settle this question of precedence between them. It may save a good deal of troublesome ceremony hereafter.

Who Aaron Burr is, we have seen in part already. I will add, that beginning his operations in New York, he associates with him men whose wealth is to supply the necessary funds. Possessed of the mainspring, his personal labor contrives all the machinery. Pervading the continent from New York to New Orleans, he draws into his plan, by every allurement which he can contrive, men of all ranks and descriptions. To youthful ardor he presents danger and glory; to ambition, rank and titles and honors; to avarice the mines of Mexico. To each person whom he addresses he presents the object adapted to his taste. His recruiting-officers are appointed. Men are engaged throughout the continent.

Civil life is indeed quiet upon its surface, but in its bosom this man has contrived to deposit the materials which, with

the slightest touch of his match, produce an explosion to shake the continent.

All this his restless ambition has contrived; and in the autumn of 1806 he goes forth for the last time to apply this match. On this occasion he meets with Blennerhassett.

Who is Blennerhassett? A native of Ireland, a man of letters, who fled from the storms of his own country to find quiet in ours. His history shows that war is not the natural element of his mind. If it had been, he never would have exchanged Ireland for America. So far is an army from furnishing the society natural and proper to Mr. Blennerhassett's character, that on his arrival in America he retired even from the population of the Atlantic States and sought quiet and solitude in the bosom of our western forests.

But he carried with him taste and science and wealth; and lo, the desert smiled! Possessing himself of a beautiful island in the Ohio, he rears upon it a palace and decorates it with every romantic embellishment of fancy. A shrubbery that Shenstone might have envied blooms around him. Music that might have charmed Calypso and her nymphs is his. An extensive library spreads its treasures before him. A philosophical apparatus offers to him all the secrets and mysteries of nature. Peace, tranquillity, and innocence shed their mingled delights around him.

And to crown the enchantment of the scene, a wife, who is said to be lovely even beyond her sex, and graced with every accomplishment that can render it irresistible, had blessed him with her love and made him the father of several children.

The evidence would convince you that this is but a faint picture of the real life. In the midst of all this peace, this innocent simplicity, and this tranquillity, this feast of the mind, this pure banquet of the heart, the destroyer comes; he

comes to change this paradise into a hell. Yet the flowers do not wither at his approach. No monitory shuddering through the bosom of their unfortunate possessor warns him of the ruin that is coming upon him.

A stranger presents himself. Introduced to their civilities by the high rank which he had lately held in his country, he soon finds his way to their hearts by the dignity and elegance of his demeanor, the light and beauty of his conversation, and the seductive and fascinating power of his address. The conquest was not difficult. Innocence is ever simple and credulous. Conscious of no design itself, it suspects none in others. It wears no guard before its breast. Every door, and portal, and avenue of the heart is thrown open, and all who choose it enter. Such was the state of Eden when the serpent entered its bowers.

The prisoner, in a more engaging form, winding himself into the open and unpractised heart of the unfortunate Blennerhassett, found but little difficulty in changing the native character of that heart and the objects of its affection. By degrees he infuses into it the poison of his own ambition. He breathes into it the fire of his own courage; a daring and desperate thirst for glory; an ardor panting for great enterprises, for all the storm and bustle and hurricane of life. In a short time the whole man is changed, and every object of his former delight is relinquished. No more he enjoys the tranquil scene; it has become flat and insipid to his taste. His books are abandoned. His retort and crucible are thrown aside. His shrubbery blooms and breathes its fragrance upon the air in vain; he likes it not. His ear no longer drinks the rich melody of music; it longs for the trumpet's clangor and the cannon's roar. Even the prattle of his babes, once so sweet, no longer affects him; and the angel smile of his wife,

which hitherto touched his bosom with ecstasy so unspeakable, is now unseen and unfelt.

Greater objects have taken possession of his soul. His imagination has been dazzled by visions of diadems, of stars, and garters, and titles of nobility. He has been taught to burn with restless emulation at the names of great heroes and conquerors. His enchanted island is destined soon to relapse into a wilderness; and in a few months we find the beautiful and tender partner of his bosom, whom he lately "permitted not the winds of" summer "to visit too roughly," we find her shivering at midnight on the wintry banks of the Ohio, and mingling her tears with the torrents that froze as they fell.

Yet this unfortunate man, thus deluded from his interest and his happiness, thus seduced from the paths of innocence and peace, thus confounded in the toils that were deliberately spread for him, and overwhelmed by the mastering spirit and genius of another — this man, thus ruined and undone, and made to play a subordinate part in this grand drama of guilt and treason, this man is to be called the principal offender, while he by whom he was thus plunged in misery is comparatively innocent, a mere accessory! Is this reason? Is it law? Is it humanity?

Sir, neither the human heart nor the human understanding will bear a perversion so monstrous and absurd! so shocking to the soul! so revolting to reason! Let Aaron Burr, then, not shrink from the high destination which he has courted, and, having already ruined Blennerhassett in fortune, character, and happiness forever, let him not attempt to finish the tragedy by thrusting that ill-fated man between himself and punishment.

Upon the whole, sir, reason declares Aaron Burr the prin-

cipal in this crime, and confirms herein the sentence of the law; and the gentleman, in saying that his offence is of a derivative and accessorial nature, begs the question and draws his conclusions from what, instead of being conceded, is denied. It is clear from what has been said that Burr did not derive his guilt from the men on the island, but imparted his own guilt to them; that he is not an accessory, but a principal; and therefore that there is nothing in the objection which demands a record of their conviction before we shall go on with our proof against him.

But suppose you should think otherwise, suppose you were of opinion that on principles of law and reason (notwithstanding the seeming injustice and inhumanity of considering him as inferior in guilt to them), Aaron Burr was not a principal, but an accessorial offender in the treason; would you, for that reason, stop the evidence from going to the jury! Now, to inquire whether the conduct of Aaron Burr makes him liable as a principal or accessory is only arguing in a different shape the whole question whether he has committed an overt act of war or not. The jury are to consult and decide whether he be a principal offender or not. Whether he be a principal or accessory is a question of fact which they are sworn to decide. The court must judge of the weight of evidence before it can say that the accused is either a principal or accessory. Suppose one part of the evidence contradicts another. Is it not judging of the weight of evidence to decide whether he be a principal or accessory? If it be not, I know not what judging of the weight of evidence is. Nothing is more peculiarly within the exclusive province of the jury than the sufficiency or insufficiency of the evidence.

But the court never says that the evidence is or is not sufficient to prove what it is intended to establish. No court has

such right. The course in such cases is to give instructions in a general charge to the jury after all the evidence shall have been heard. Will you, because of your impressions on this subject, from a merely partial view of the evidence, compel the jury also to decide on that necessarily partial view? If you do, do you not thereby divest the jury of their peculiar functions? Their province should not be invaded. The invasion is big with danger and terror. I trust that you will see this subject in the awful light in which it really stands, and that you will suffer the trial to take its natural course.

Mr. Martin has referred you to a number of cases from Cooper and other authors, but they do not prove the position intended. The court, in all these cases, leaves the jury to decide on the overt act. You will find those cases to amount simply to this: a dialogue between the court and the counsel of the prisoner as to the overt act. The court was required to say whether the overt act were proved or not. There was no judicial determination. The judge merely told his opinion; but he told the jury at the same time that the decision belonged to them and not to him.

There is a wide difference between criminal and civil cases; and as it is of much more importance to preserve the trial by jury in the former, to protect the lives of the people against unjust persecutions, than in mere civil suits, to preserve the rights of property, the constitution has secured that trial in all criminal prosecutions.

Should the court interfere for the purpose of stopping the evidence and to wrest the cause from the jury in favor of the accused, would there not be a reciprocal right? If it can interfere to save the prisoner, can they not interfere equally against him? A thing unprecedented in the annals of jurisprudence. Have the counsel on either side a right to call on the other

side to state all their evidence before it be introduced, and then to address the court without hearing it, if they think they have a better chance before the court than the jury? Has either party a right to substitute the court for the jury, or the jury for the court, at pleasure; to address the court on facts, or the jury on points of law? Such an attempt would not be a greater encroachment on the right of the proper tribunal than the present motion is on the rights of the jury.

# SCHLEGEL

KARL WILHELM FRIEDRICH VON SCHLEGEL, known chiefly as a historian of literature, was born at Hanover in 1772. After studying at Göttingen and Leipsic, he lectured as a *privat docent* at the University of Jena, and wrote a number of lyrical poems, together with a tragedy and an unfinished romance. In 1802 he went to Paris, where he lectured on philosophy. In 1808 he went to Vienna, and in the following year was made Imperial Court Secretary at the headquarters of the Archduke Charles. We here reproduce a portion of a lecture delivered at Vienna in 1810. At a later period Schlegel was Councillor of Legation in the Austrian Embassy at the Frankfort Diet. He died in 1829 at Dresden, where he was delivering a course of lectures on the philosophy of language. We may mention that Schlegel's wife was a Jewess, the daughter of Moses Mendelssohn, but in 1803 she, as well as her husband, joined the Catholic Church.

## THE PHILOSOPHY OF HISTORY

### LECTURE DELIVERED AT VIENNA IN 1810

THE philosophy of history—that is to say, the right comprehension of its wonderful course, the solution and illustration of its mighty problems, and of the complex enigmas of humanity, and its destiny in the lapse of ages—is not to be found in isolated events, or detached historical facts, but in the principles of social progress. Historical particulars can only serve to characterize the inward motives, the prevailing opinions, the decisive moments, the critical points in the progress of human society; and thus place more vividly before our eyes the peculiar character of every age—each step of mankind in intellectual refinement and moral improvement. To this end, historical details are indispensable; for the ruling prin-

ciples of social development are of a more exalted kind, and not mere organic laws of nature, from which, as in physiology, when the first principle of disorder is understood, we can accurately deduce, and partly at least determine beforehand, the nature of the different phenomena and symptoms, the rule of health, the diagnostic of the disease, as well as the method of cure, the approach of the crisis, and its natural declension, without being obliged to go through the labyrinth of all the different cases that may have ever existed. Again, it is not in the history of man, as in natural history, where the structure of the various plants and animals forms by close analogy one connected species and genus; and where the growth, bloom, decay, and extinction of individuals follow in a uniform order, like day and night, or like the change of the seasons. But in the sphere of human freedom, as man is a natural creature, but a natural creature endowed with free will—that is to say, with the faculty of moral determination between the good or heavenly impulse, and the wicked or hostile principle—all these organic laws of nature form only the physical basis of his progress and history. And hardly do they form this—but rather a mere disposition of which the direction depends on man, or on the use he makes of his own freedom. It is only when that higher principle of man's free will has been weakened, debased, obscured, extinguished, and utterly confounded, that those laws of nature can hold good in history. Then, indeed, the symptoms of a diseased age, the organic vices of a nation, the prognostics of a general crisis of the world, may be determined to a certain extent with the precision of medical science. Though the general feelings of mankind clearly declare the soul to be endowed with the faculty of free

will, yet to reason, this freedom is an almost inextricable enigma, the solution of which must be furnished by faith. Or, rather, this is a mystery, of which the key and explanation must be sought for in God and his Revelation; and the same will apply to every higher principle that transcends nature and nature's laws.

Along with the principle of man's free will, which rises above necessity, that law of nature—there is another higher and divine principle in the historical progress of nations; and this is the visible guidance of an all-loving and all-ruling Providence displayed in the course of history and the march of human destiny, whether in things great or small. But the power of evil is something more than a mere power of nature, and in comparison with this it is a power of a higher and more spiritual kind. It is that power whose influence is not only felt in the sensual inclinations of nature, but which, under the mask of a false liberty, unceasingly labors to rob man of his true freedom. Thus Providence is not a mere vague notion, a formula of belief, or a feeling of virtuous anticipation—a mere pious conjecture—but it is the real, effective, historical, redeeming power of God, which restores to man and the whole human race their lost freedom, and with it the effectual power of good. The problem of human existence consists in this, that man in the great stage of history, as in the little details of private life, has to choose and determine between a true heavenly freedom, ever faithful and steadfast to God, and the false, rebellious freedom of a will separated from God. The mere license of passion or of sensual appetite is no liberty, but a stern bondage under the yoke of nature. But as that false and criminal freedom is spiritual, so it is superior to nature; and it is

strictly conformable to truth, to regard him as the first author of this false liberty whom Revelation represents as the mightiest, the most potent, and the most intellectual egotist among all created beings, either in the visible or the invisible world.

Without this freedom of choice innate in man or imparted to him—this faculty of determining between the divine impulse and the suggestion of the spirit of evil—there would be no history, and without a faith in such a principle there could be no philosophy of history. If free will were a mere psychological illusion; if, consequently, man were incapable of sentiment or deliberate action; if all in life were predetermined by necessity, and subject, like nature, to a blind, immutable destiny; in that case, what we call history, or the description of mankind, would merely constitute a branch of natural science. But such notions are utterly repugnant to the general belief and the most intimate feelings of mankind, according to which it is precisely the conflict between the good or divine principle, on the one hand, and the evil or adverse principle, on the other, which forms the purport of human life and human history from the beginning to the end of time. Without the idea of a Godhead regulating the course of human destiny, of an all-ruling Providence, and the saving and redeeming power of God, the history of the world would be a labyrinth without an outlet—a confused pile of ages buried upon ages—a mighty tragedy without a right beginning or a proper ending; and this melancholy and tragical expression is produced on our minds by several of the great ancient historians, particularly the profoundest of them all, Tacitus, who, toward the close of antiquity, glances so dark a retrospect upon the past.

But the great historical mystery—the deepest and most complicated enigma of the world—is the permission of evil on the part of God, which can find its explanation and solution only in the unfettered freedom of man, in the destination of the latter for a state of struggle, exposed to the influence of two contending powers, and which commences with the first early mission of Adam. This is nothing else but the real and entire exercise—the divinely ordained trial of the faculty of freedom, imparted to the firstling of the new creation—the image of God, in the conflict and the victory over temptation and all hostile spirits. That man only who recognizes the permission of God given to evil in its at first inconceivably wide extent —the whole magnitude of the power permitted to the wicked principle, according to the inscrutable decrees of God, from the curse of Cain—and the sign of that curse—its unimpeded transmission through all the labyrinths of error, and truth grossly disfigured—through all the false religions of heathenism—all the ages of extreme moral corruption, and eternally repeated, and ever-increasing crime, down to the period when the anti-Christian principle—the spirit of evil—shall usurp entire dominion of the world; when mankind, sufficiently prepared, shall be summoned to the last decisive trial—the last great conflict with the enemy in all the fulness of his power:—that man only, we say, is capable of understanding the great phenomena of universal history in their often strange and dark complexity, as far, at least, as human eye can penetrate into those hidden and mysterious ways of Providence. But he who regards everything in humanity, and the progress of humanity, in a mere natural or rationalist point of view, and will explain everything by such views;

who, though perhaps not without a certain instinctive feeling of an all-ruling Providence—a certain pious deference for its secret ways and high designs—yet is devoid of a full knowledge of, and deep insight into, the conduct of Providence—he to whom the power of evil is not clear, evident, and fully intelligible; he will ever rest on the surface of events and historical facts, and, satisfied with the outward appearance of things, neither comprehend the meaning of the whole, nor understand the import of any part. But the matter of greatest moment is to watch the Spirit of God, revealing itself in history, enlightening and directing the judgments of men, saving and conducting mankind, and even here below admonishing, judging, and chastising nations and generations; to watch this spirit in its progress through all ages, and discern the fiery marks and traces of its footsteps. This threefold law of the world, these three mighty principles in the historical progress of mankind—the hidden ways of a Providence delivering and emancipating the human race; next, the free will of man, doomed to a decisive choice in the struggle of life, and every action and sentiment springing from that freedom; lastly, the power permitted by God to the evil principle cannot be deduced as things absolutely necessary, like the phenomena of nature, or the laws of human reason. Such a general deduction would by no means answer the object intended; but it is in the characteristic marks of particular events and historical facts that the visible traces of invisible power and design, or of high and hidden wisdom, must be sought for. And hence the philosophy of history is not a theory standing apart and separated from history, but its results must be drawn out of the multitude of historical facts—from the faithful record of ages, and must

spring up, as it were, of themselves, from bare observation. And here an unprejudiced mind will discern the motive, and also the justification, of the course we have pursued; for in the philosophy of history we have not to do with any system—any series of abstract notions, positions, and conclusions, as in the construction of a mere theory—but with the general principles only of historical investigation and historical judgment.

In the multitude, however, of historical phenomena, all things, especially in times of great party conflicts, are of a mixed nature, where, in the selection of characteristic traits, we should rather avoid than seek for any rude and violent contrasts. For while, on the one hand, in any great historical contest, we are bound to recognize the full justice of the true cause, yet, on the other, we shall often find some flaw—some stain—some weak point connected with that cause—not inherent in the cause itself, but chargeable solely on human infirmity. Or when we must condemn the revolution of any period as pernicious in its general relations and reprehensible in itself, we shall often see some motive lie concealed in its origin—in its first proceedings—which taken in itself, and abstractedly of subsequent errors and the false consequences thence deduced, comprises some important indications of right—some lofty aspirations after truth. Every general assertion must be restricted by exceptions, and qualified by various modifications; and as in historical events, so in historical narration and speculation, nothing is so hurtful and unprofitable as an absolute mode of reflection, inquiry, and decision. This remark we may apply by anticipation to the whole period of latter ages, and as inculcating the necessity of that conciliatory spirit which true philosophy

cannot fail of adopting for its rule. It is only when we have gone very deeply into the varied and complex nature of the circumstances of any age and examined in their manifold bearings these historical phenomena which attend or produce the critical turning points, the decisive eras of history, that we can clearly discover the spiritual elements —the great ideas which lie at the bottom of a mighty revolution in society. In every other abstract science, an exception from the rule appears a contradiction, but in the science of history every real exception serves but the better to make us comprehend and judge the rest.

# NOTT

ELIPHALET NOTT, an American clergyman, widely known as an educator, was born at Ashford, Connecticut, June 25, 1773. He was educated at Brown University, and after studying theology was pastor of a Presbyterian church in Albany, New York, 1798-1804. In the latter year he was chosen president of Union College at Schenectady, New York, and remained at the head of that institution until his death on January 29, 1866. He governed the college on the parental plan, and was greatly beloved by successive generations of students. He took a deep interest in science, and among his thirty inventions for the utilization of heat was that of the first stove for the burning of anthracite coal. As an advocate of temperance and anti-slavery he was long prominent, and he also won great distinction as a pulpit orator; his most famous discourse (given below) was a memorable and oft-quoted sermon on the death of Alexander Hamilton. His published writings comprise "Miscellaneous Works" (1810); "Counsels to Young Men" (1845); "Lectures on Temperance" (1847); "The Resurrection of Christ" (1872).

## "HOW ARE THE MIGHTY FALLEN"

DELIVERED AT ALBANY, JULY 9, 1804

THE occasion explains the choice of my subject — a subject on which I enter in obedience to your request. You have assembled to express your elegiac sorrows, and sad and solemn weeds cover you.

Before such an audience and on such an occasion I enter on the duty assigned me with trembling. Do not mistake my meaning. I tremble indeed — not, however, through fear of failing to merit your applause; for what have I to do with that when addressing the dying and treading on the ashes of the dead; not through fear of failing justly to portray the character of that great man who is at once the theme of my encomium and regret. He needs not eulogy. His work is finished, and death has removed him beyond my censure, and I would fondly hope, through grace, above my praise.

You will ask then why I tremble? I tremble to think that I am called to attack, from this place, a crime, the very idea of which almost freezes one with horror — a crime, too, which exists among the polite and polished orders of society, and which is accompanied with every aggravation; committed with cool deliberation, and openly in the face of day! But I have a duty to perform: and difficult and awful as that duty is, I will not shrink from it.

Would to God my talents were adequate to the occasion. But such as they are, I devoutly proffer them to unfold the nature and counteract the influence of that barbarous custom which like a resistless torrent is undermining the foundations of civil government, breaking down the barriers of social happiness, and sweeping away virtue, talents, and domestic felicity in its desolating course.

Another and an illustrious character — a father — a general — a statesman — the very man who stood on an eminence and without a rival among sages and heroes, the future hope of his country in danger — this man, yielding to the influence of a custom which deserves our eternal reprobation has been brought to an untimely end.

That the deaths of great and useful men should be particularly noticed is equally the dictate of reason and revelation. The tears of Israel flowed at the decease of good Josiah, and to his memory the funeral women chanted the solemn dirge. But neither examples nor arguments are necessary to wake the sympathies of a grateful people on such occasions. The death of public benefactors surcharges the heart, and it spontaneously disburdens itself by a flow of sorrows. Such was the death of Washington; to embalm whose memory and perpetuate whose deathless fame we lent our feeble but unnecessary services.

Such, also, and more peculiarly so, has been the death of Hamilton. The tidings of the former moved us, mournfully moved us, and we wept. The account of the latter chilled our hopes and curdled our blood. The former died in a good old age; the latter was cut off in the midst of his usefulness. The former was a customary providence,— we saw in it, if I may speak so, the finger of God, and rested in his sovereignty. The latter is not attended with this soothing circumstance.

The fall of Hamilton owes its existence to mad deliberation and is marked by violence. The time, the place, the circumstances, are arranged with barbarous coolness. The instrument of death is levelled in daylight, and with well-directed skill pointed at his heart. Alas! the event has proven that it was but too well directed. Wounded, mortally wounded, on the very spot which still smoked with the blood of a favorite son, into the arms of his indiscreet and cruel friend the father fell.

Ah! had he fallen in the course of nature; or jeopardizing his life in defence of his country had he fallen — but he did not. He fell in single combat — pardon my mistake — he did not fall in single combat. His noble nature refused to endanger the life of his antagonist. But he exposed his own life. This was his crime: and the sacredness of my office forbids that I should hesitate explicitly to declare it so. He did not hesitate to declare it so himself. "My religious and moral principles are strongly opposed to duelling." These are his words before he ventured to the field of death. "I view the late transaction with sorrow and contrition." These are his words after his return. Humiliating end of illustrious greatness! "How are the mighty fallen!" And shall the mighty thus fall? Thus shall the noblest lives be

sacrificed and the richest blood be spilt? "Tell it not in Gath; publish it not in the streets of Askelon!"

Think not that the fatal issue of the late inhuman interview was fortuitous. No; the hand that guides unseen the arrow of the archer steadied and directed the arm of the duellist. And why did it thus direct it? As a solemn memento — as a loud and awful warning to a community where justice has slumbered — and slumbered — and slumbered — while the wife has been robbed of her partner, the mother of her hopes, and life after life rashly and with an air of triumph sported away.

And was there, O my God! no other sacrifice valuable enough; would the cry of no other blood reach the place of retribution and wake justice, dozing over her awful seat! But though justice should still slumber, and retribution be delayed, we, who are the ministers of that God who will judge the judges of the world, and whose malediction rests on him who does his work unfaithfully, we will not keep silence.

I feel, my brethren, how incongruous my subject is with the place I occupy. It is humiliating; it is distressing in a Christian country, and in churches consecrated to the religion of Jesus, to be obliged to attack a crime which outstrips barbarism, and would even sink the character of a generous savage. But humiliating as it is, it is necessary. And must we then, even for a moment, forget the elevation on which grace hath placed us, and the light which the gospel sheds around us?

Must we place ourselves back in the midst of barbarism; and instead of hearers softened to forgiveness by the love of Jesus, filled with noble sentiments towards our enemies, and waiting for occasions, after the example of divinity, to do

them good; instead of such hearers, must we suppose ourselves addressing hearts petrified to goodness, incapable of mercy, and boiling with revenge? Must we, O my God! instead of exhorting those who hear us to go on unto perfection, adding to virtue charity, and to charity brotherly kindness; must we, as if surrounded by an auditory just emerging out of darkness and still cruel and ferocious, reason to convince them that revenge is improper and that to commit deliberate murder is sin?

Yes, we must do this. Repeated violations of the law and the sanctuary, which the guilty find in public sentiment, prove that it is necessary.

Withdraw, therefore, for a moment, ye celestial spirits — ye holy angels accustomed to hover round these altars and listen to those strains of grace which heretofore have filled this house of God. Other subjects occupy us. Withdraw, therefore, and leave us; leave us to exhort Christian parents to restrain their vengeance, and at least to keep back their hands from blood; to exhort youth, nurtured in Christian families, not rashly to sport with life, nor lightly to wring the widow's heart with sorrows, and fill the orphan's eye with tears.

In accomplishing the object which is before me it will not be expected, as it is not necessary, that I should give a history of duelling. You need not be informed that it originated in a dark and barbarous age. The polished Greek knew nothing of it; the noble Roman was above it. Rome held in equal detestation the man who exposed his life unnecessarily and him who refused to expose it when the public good required it. Her heroes were superior to private contests. They indulged no vengeance except against the enemies of their country. Their swords were not drawn unless her honor was

in danger; which honor they defended with their swords not only, but shielded with their bosoms also, and were then prodigal of their blood. But though Greece and Rome knew nothing of duelling it exists. It exists among us: and it exists at once the most rash, the most absurd and guilty practice that ever disgraced a Christian nation.

Guilty — because it is a violation of the law. What law? The law of God,—"Thou shalt not kill." This prohibition was delivered by God himself, at Sinai, to the Jews. And, that it is of universal and perpetual obligation is manifest from the nature of the crime prohibited not only, but also from the express declaration of the Christian Lawgiver, who hath recognized its justice and added to it the sanctions of his own authority.

"Thou shalt not kill." Who? Thou, creature. I, the Creator, have given life, and thou shalt not take it away! When and under what circumstances may I not take away life? Never, and under no circumstances, without my permission. It is obvious that no discretion whatever is here given. The prohibition is addressed to every individual where the law of God is promulgated, and the terms made use of are express and unequivocal. So that life cannot be taken under any pretext, without incurring guilt, unless by a permission sanctioned by the same authority which sanctions the general law prohibiting it. From this law it is granted there are exceptions. These exceptions, however, do not result from any sovereignty which one creature has over the existence of another, but from the positive appointment of that eternal Being whose "is the world and the fulness thereof. In whose hand is the soul of every living creature, and the breath of all mankind." Even the authority which we claim over the lives of animals is not founded on a natural right, but on a

positive grant made by the Deity himself to Noah and his sons. This grant contains our warrant for taking the lives of animals. But if we may not take the lives of animals without permission from God, much less may we the life of man made in his image.

In what cases, then, has the Sovereign of life given this permission? In rightful war; by the civil magistrate; and in necessary self-defence. Besides these I do not hesitate to declare that in the oracles of God there are no other. He, therefore, who takes life in any other case, under whatever pretext, takes it unwarrantably, is guilty of what the Scriptures call murder, and exposes himself to the malediction of that God who is an avenger of blood and who hath said, "At the hand of every man's brother will I require the life of man — Whoso sheddeth man's blood, by man shall his blood be shed."

The duellist contravenes the law of God not only, but the law of man also. To the prohibition of the former have been added the sanctions of the latter. Life taken in a duel, by the common law, is murder. And where this is not the case, the giving and receiving of a challenge only is by statute considered a high misdemeanor for which the principal and his second are declared infamous and disfranchised for twenty years. Under what accumulated circumstances of aggravation does the duellist jeopardize his own life or take the life of his antagonist? I am sensible that in a licentious age, and when laws are made to yield to the vices of those who move in the higher circles, this crime is called by I know not what mild and accommodating name. But before these altars, in this house of God, what is it? It is murder — deliberate, aggravated murder. If the duellist deny this, let him produce his warrant from the Author of life for taking away from his

creature the life which had been sovereignly given. If he cannot do this, beyond all controversy he is a murderer; for murder consists in taking away life without the permission and contrary to the prohibition of him who gave it.

Who is it, then, that calls the duellist to the dangerous and deadly combat? Is it God? No; on the contrary, he forbids it. Is it, then, his country? No; she also utters her prohibitory voice. Who is it then? A man of honor. And who is this man of honor? A man, perhaps, whose honor is a name; who prates with polluted lips about the sacredness of character when his own is stained with crimes and needs but the single shade of murder to complete the dismal and sickly picture. Every transgression of the divine law implies great guilt, because it is the transgression of infinite authority. But the crime of deliberately and lightly taking life has peculiar aggravations. It is a crime committed against the written law not only, but also against the dictates of reason, the remonstrances of conscience, and every tender and amiable feeling of the heart. To the unfortunate sufferer it is the wanton violation of his most sacred rights. It snatches him from his friends and his comforts, terminates his state of trial, and precipitates him, uncalled for and perhaps unprepared, into the presence of his Judge.

You will say the duellist feels no malice. Be it so. Malice, indeed, is murder in principle. But there may be murder in reason and in fact where there is no malice. Some other unwarrantable passion or principle may lead to the unlawful taking of human life. The highwayman who cuts the throat and rifles the pocket of the passing traveller feels no malice. And could he with equal ease and no greater danger of detection have secured his booty without taking life, he would have

stayed his arm over the palpitating bosom of his victim and let the plundered suppliant pass.

Would the imputation of cowardice have been inevitable to the duellist if a challenge had not been given or accepted? The imputation of want had been no less inevitable to the robber if the money of the passing traveller had not been secured. Would the duellist have been willing to have spared the life of his antagonist if the point of honor could otherwise have been gained? So would the robber if the point of property could have been. Who can say that the motives of the one are not as urgent as the motives of the other? And the means by which both obtain the object of their wishes are the same. Thus, according to the dictates of reason, as well as the law of God, the highwayman and the duellist stand on ground equally untenable, and support their guilty havoc of the human race by arguments equally fallacious.

Is duelling guilty?—So it is absurd. It is absurd as a punishment, for it admits of no proportion to crimes: and besides, virtue and vice, guilt and innocence, are equally exposed by it to death or suffering. As a reparation it is still more absurd, for it makes the injured liable to a still greater injury. And as the vindication of personal character it is absurd even beyond madness.

One man of honor, by some inadvertence or perhaps with design, injures the sensibility of another man of honor. In perfect character the injured gentleman resents it. He challenges the offender. The offender accepts the challenge. The time is fixed. The place is agreed upon. The circumstances, with an air of solemn mania, are arranged; and the principals, with their seconds and surgeons, retire under the covert of some solitary hill, or upon the margin of some unfrequented beach. to settle this important question of honor by stabbing

or shooting at each other. One or the other, or both the parties, fall in this polite and gentlemanlike contest.

And what does this prove?

It proves that one or the other, or both of them, as the case may be, are marksmen. But it affords no evidence that either of them possess honor, probity, or talents. It is true that he who falls in single combat has the honor of being murdered: and he who takes his life, the honor of a murderer. Besides this, I know not of any glory which can redound to the infatuated combatants, except it be what results from having extended the circle of wretched widows and added to the number of hapless orphans. And yet, terminate as it will, this frantic meeting, by a kind of magic influence, entirely varnishes over a defective and smutty character; transforms vice to virtue, cowardice to courage; makes falsehood, truth; guilt, innocence — in one word, it gives a new complexion to the whole state of things. The Ethiopian changes his skin, the leopard his spots, and the debauched and treacherous — having shot away the infamy of a sorry life — comes back from the field of perfectibility quite regenerated and, in the fullest sense an honorable man. He is now fit for the company of gentlemen. He is admitted to that company, and should he again, by acts of vileness, stain this purity of character so nobly acquired, and should any one have the effrontery to say he has done so, again he stands ready to vindicate his honor and by another act of homicide to wipe away the stain which has been attached to it.

I might illustrate this article by example. I might produce instances of this mysterious transformation of character, in the sublime circles of moral refinement, furnished by the higher orders of the fashionable world, which the mere firing of pistols has produced. But the occasion is too awful for

irony. Absurd as duelling is, were it absurd only, though we might smile at the weakness and pity the folly of its abettors, there would be no occasion for seriously attacking them. But to what has been said I add that duelling is rash and presumptuous.

Life is the gift of God, and it was never bestowed to be sported with. To each the Sovereign of the universe has marked out a sphere to move in and assigned a part to act. This part respects ourselves not only, but others also. Each lives for the benefit of all.

As in the system of nature the sun shines, not to display its own brightness and answer its own convenience, but to warm, enlighten, and bless the world; so in the system of animated beings there is a dependence, a correspondence, and a relation, through an infinitely extended, dying, and reviving universe —"in which no man liveth to himself, and no man dieth to himself." Friend is related to friend; the father to his family; the individual to community. To every member of which, having fixed his station and assigned his duty, the God of nature says, "Keep this trust — defend this post." For whom? For thy friends, thy family, thy country. And having received such a charge and for such a purpose, to desert it is rashness and temerity.

Since the opinions of men are as they are, do you ask how you shall avoid the imputation of cowardice if you do not fight when you are injured? Ask your family how you will avoid the imputation of cruelty: ask your conscience how you will avoid the imputation of guilt: ask God how you will avoid his malediction, if you do? These are previous questions. Let these first be answered, and it will be easy to reply to any which may follow them. If you only accept a challenge, when you believe in your conscience that duelling is

wrong, you act the coward. The dastardly fear of the world governs you. Awed by its menaces, you conceal your sentiments, appear in disguise, and act in guilty conformity to principles not your own, and that too in the most solemn moment and when engaged in an act which exposes you to death.

But if it be rashness to accept, how passing rashness is it, in a sinner, to give a challenge? Does it become him whose life is measured out by crimes to be extreme to mark and punctilious to resent whatever is amiss in others? Must the duellist who, now, disdaining to forgive, so imperiously demands satisfaction to the uttermost — must this man himself, trembling at the recollection of his offences, presently appear a suppliant before the mercy-seat of God?

Imagine this — and the case is not imaginary — and you cannot conceive an instance of greater inconsistency or of more presumptuous arrogance. Therefore "avenge not yourselves, but rather give place unto wrath; for vengeance is mine, I will repay saith the Lord." Do you ask, then, how you shall conduct towards your enemy who hath lightly done you wrong? If he be hungry, feed him; if naked, clothe him; if thirsty, give him drink. Such, had you preferred your question to Jesus Christ, is the answer he had given you. By observing which you will usually subdue and always act more honorably than your enemy.

I feel, my brethren, as a minister of Jesus and a teacher of his gospel, a noble elevation on this article. Compare the conduct of the Christian, acting in conformity to the principles of religion, and of the duellist, acting in conformity to the principles of honor, and let reason say which bears the marks of the most exalted greatness. Compare them, and let reason say which enjoys the most calm serenity of mind

in time, and which is likely to receive the plaudit of his Judge in immortality. God, from his throne, beholds not a nobler object on his footstool than the man who loves his enemies, pities their errors, and forgives the injuries they do him. This is, indeed, the very spirit of the heavens. It is the image of his benignity whose glory fills them.

To return to the subject before us — guilty, absurd, and rash, as duelling is, it has its advocates. And had it not had its advocates — had not a strange preponderance of opinion been in favor of it, never, O lamented Hamilton! hadst thou thus fallen in the midst of thy days and before thou hadst reached the zenith of thy glory!

O that I possessed the talent of eulogy, and that I might be permitted to indulge the tenderness of friendship in paying the last tribute to his memory! O that I were capable of placing this great man before you! Could I do this, I should furnish you with an argument the most practical, the most plain, the most convincing, except that drawn from the mandate of God, that was ever furnished against duelling — that horrid practice which has in an awful moment robbed the world of such exalted worth. But I cannot do this; I can only hint at the variety and exuberance of his excellence.

The Man, on whom nature seems originally to have impressed the stamp of greatness, whose genius beamed, from the retirement of collegiate life, with a radiance which dazzled and a loveliness which charmed the eye of sages.

The Hero, called from his sequestered retreat, whose first appearance in the field, though a stripling, conciliated the esteem of Washington, our good old father. Moving by whose side, during all the perils of the Revolution, our young chieftain was a contributor to the veteran's glory, the guardian of his person, and the co-partner of his toils.

The Conqueror, who, sparing of human blood when victory favored, stayed the uplifted arm and nobly said to the vanquished enemy, "Live!"

The Statesman, the correctness of whose principles and the strength of whose mind are inscribed on the records of Congress and on the annals of the council chamber; whose genius impressed itself upon the constitution of his country; and whose memory, the government — illustrious fabric, resting on this basis — will perpetuate while it lasts; and shaken by the violence of party should it fall, which may heaven avert, his prophetic declarations will be found inscribed on its ruins.

The Counsellor, who was at once the pride of the bar and the admiration of the court; whose apprehensions were quick as lightning, and whose development of truth was luminous as its path; whose argument no change of circumstances could embarrass; whose knowledge appeared intuitive; and who by a single glance, and with as much facility as the eye of the eagle passes over the landscape, surveyed the whole field of controversy; saw in what way truth might be most successfully defended and how error must be approached; and who, without ever stopping, ever hesitating, by a rapid and manly march, led the listening judge and the fascinated juror, step by step, through a delightsome region, brightening as he advanced, till his argument rose to demonstration, and eloquence was rendered useless by conviction; whose talents were employed on the side of righteousness; whose voice, whether in the council chamber, or at the bar of justice, was virtue's consolation; at whose approach oppressed humanity felt a secret rapture, and the heart of injured innocence leaped for joy.

Where Hamilton was, in whatever sphere he moved, the

friendless had a friend, the fatherless a father, and the poor man, though unable to reward his kindness, found an advocate. It was when the rich oppressed the poor; when the powerful menaced the defenceless; when truth was disregarded or the eternal principles of justice violated; it was on these occasions that he exerted all his strength; it was on these occasions that he sometimes soared so high and shone with a radiance so transcendent, I had almost said, so "heavenly, as filled those around him with awe and gave to him the force and authority of a prophet."

The Patriot, whose integrity baffled the scrutiny of inquisition; whose manly virtue never shaped itself to circumstances; who, always great, always himself, stood amidst the varying tides of party, firm, like the rock which, far from land, lifts its majestic top above the waves and remains unshaken by the storms which agitate the ocean.

The Friend, who knew no guile; whose bosom was transparent and deep; in the bottom of whose heart was rooted every tender and sympathetic virtue; whose various worth opposing parties acknowledged while alive, and on whose tomb they unite, with equal sympathy and grief, to heap their honors.

I know he had his failings. I see, on the picture of his life — a picture rendered awful by greatness, and luminous by virtue — some dark shades. On these let the tear that pities human weakness, fall; on these let the veil which covers human frailty rest. As a hero, as a statesman, as a patriot, he lived nobly: and would to God I could add, he nobly fell. Unwilling to admit his error in this respect, I go back to the period of discussion. I see him resisting the threatened interview. I imagine myself present in his chamber. Various reasons, for a time, seem to hold his

determination in arrest. Various and moving objects pass before him and speak a dissuasive language. His country, which may need his counsels to guide, and his arm to defend, utters her veto. The partner of his youth, already covered with weeds, and whose tears flow down into her bosom, intercedes! His babes, stretching out their little hands and pointing to a weeping mother, with lisping eloquence, but eloquence which reaches a parent's heart, cry out, "Stay, stay, dear papa, and live for us!"

In the meantime the spectre of a fallen son, pale and ghastly, approaches, opens his bleeding bosom and as the harbinger of death points to the yawning tomb and warns a hesitating father of the issue! He pauses, reviews these sad objects, and reasons on the subject. I admire his magnanimity, I approve his reasoning, and I wait to hear him reject with indignation the murderous proposition and to see him spurn from his presence the presumptuous bearer of it. But I wait in vain. It was a moment in which his great wisdom forsook him — a moment in which Hamilton was not himself. He yielded to the force of an imperious custom: and, yielding, he sacrificed a life in which all had an interest — and he is lost — lost to his country, lost to his family, lost to us. For this act, because he disclaimed it and was penitent, I forgive him. But there are those whom I cannot forgive. I mean not his antagonist; over whose erring steps, if there be tears in heaven, a pious mother looks down and weeps.

If he be capable of feeling, he suffers already all that humanity can suffer — suffers, and wherever he may fly will suffer, with the poignant recollection of having taken the life of one who was too magnanimous, in return, to attempt his own. Had he known this, it must have paralyzed his arm

while it pointed at so incorruptible a bosom the instrument of death. Does he know this now? His heart, if it be not adamant, must soften — if it be not ice, must melt. But on this article I forbear. Stained with blood as he is, if he be penitent, I forgive him — and if he be not, before these altars, where all of us appear as suppliants, I wish not to excite your vengeance, but rather, in behalf of an object rendered wretched and pitiable by crime, to wake your prayers.

But I have said, and I repeat it, there are those whom I cannot forgive. I cannot forgive that minister at the altar who has hitherto forborne to remonstrate on this subject. I cannot forgive that public prosecutor who, entrusted with the duty of avenging his country's wrongs, has seen those wrongs and taken no measures to avenge them. I cannot forgive that judge upon the bench, or that governor in the chair of state, who has lightly passed over such offences. I cannot forgive the public, in whose opinion the duellist finds a sanctuary. I cannot forgive you, my brethren, who till this late hour have been silent while successive murders were committed.

No; I cannot forgive you that you have not, in common with the freemen of this State, raised your voice to the powers that be and loudly and explicitly demanded an execution of your laws; demanded this in a manner which, if it did not reach the ear of government, would at least have reached the heavens and pleaded your excuse before the God that filleth them — in whose presence as I stand I should not feel myself innocent of the blood that crieth against us had I been silent. But I have not been silent. Many of you who hear me are my witnesses — the walls of yonder temple, where I have heretofore addressed you, are my wit-

nesses, how freely I have animadverted on this subject in the presence both of those who have violated the laws and of those whose indispensable duty it is to see the laws executed on those who violate them.

I enjoy another opportunity; and would to God I might be permitted to approach for once the last scene of death. Would to God I could there assemble, on the one side, the disconsolate mother with her seven fatherless children; and on the other those who administer the justice of my country. Could I do this, I would point them to these sad objects. I would entreat them, by the agonies of bereaved fondness, to listen to the widow's heartfelt groans; to mark the orphan's sighs and tears. And having done this, I would uncover the breathless corpse of Hamilton — I would lift from his gaping wound his bloody mantle — I would hold it up to heaven before them, and I would ask, in the name of God, I would ask whether at the sight of it they felt no compunction?

You will ask, perhaps, what can be done to arrest the progress of a practice which has yet so many advocates? I answer, nothing — if it be the deliberate intention to do nothing. But, if otherwise, much is within our power. Let, then, the governor see that the laws are executed; let the council displace the man who offends against their majesty; let courts of justice frown from their bar, as unworthy to appear before them, the murderer and his accomplices; let the people declare him unworthy of their confidence who engages in such sanguinary contests; let this be done, and should life still be taken in single combat, then the governor, the council, the court, the people, looking up to the Avenger of sin, may say, "We are innocent, we are innocent." Do you ask how proof can be obtained? How can it be avoided? The parties return, hold up before our eyes the instruments of death,

publish to the world the circumstances of their interview, and even with an air of insulting triumph boast how coolly and deliberately they proceeded in violating one of the most sacred laws of earth and heaven!

Ah! ye tragic shores of Hoboken, crimsoned with the richest blood, I tremble at the crimes you record against us — the annual register of murders which you keep and send up to God! Place of inhuman cruelty! beyond the limits of reason, of duty, and of religion, where man assumes a more barbarous nature and ceases to be man. What poignant, lingering sorrows do thy lawless combats occasion to surviving relatives! Ye who have hearts of pity — ye who have experienced the anguish of dissolving friendship — who have wept, and still weep, over the moldering ruins of departed kindred, ye can enter into this reflection.

O thou disconsolate widow! robbed, so cruelly robbed, and in so short a time, both of a husband and a son, what must be the plenitude of thy sufferings! Could we approach thee, gladly would we drop the tear of sympathy and pour into thy bleeding bosom the balm of consolation! But how could we comfort her whom God hath not comforted? To his throne let us lift up our voice and weep. O God! if thou art still the widow's husband and the father of the fatherless, if in the fulness of thy goodness there be yet mercies in store for miserable mortals, pity, O pity this afflicted mother, and grant that her hapless orphans may find a friend, a benefactor, a father, in thee! On this article I have done, and may God add his blessing.

But I have still a claim upon your patience. I cannot here repress my feelings and thus let pass the present opportunity.

"How are the mighty fallen." And, regardless as we are of vulgar deaths, shall not the fall of the mighty affect us? A

short time since, and he who is the occasion of our sorrows was the ornament of his country. He stood on an eminence, and glory covered him. From that eminence he has fallen — suddenly, forever, fallen. His intercourse with the living world is now ended; and those who would hereafter find him must seek him in the grave. There, cold and lifeless, is the heart which just now was the seat of friendship. There, dim and sightless, is the eye whose radiant and enlivening orb beamed with intelligence; and there, closed forever, are those lips on whose persuasive accents we have so often and so lately hung with transport! From the darkness which rests upon his tomb there proceeds, methinks, a light in which it is clearly seen that those gaudy objects which men pursue are only phantoms. In this light, how dimly shines the splendor of victory; how humble appears the majesty of grandeur! The bubble which seemed to have so much solidity has burst; and we again see that all below the sun is vanity.

True, the funeral eulogy has been pronounced; the sad and solemn procession has moved; the badge of mourning has already been decreed, and presently the sculptured marble will lift up its front, proud to perpetuate the name of Hamilton and rehearse to the passing traveller his virtues. Just tributes of respect! And to the living useful. But to him, moldering in the narrow and humble habitation, what are they? How vain! how unavailing!

Approach, and behold while I lift from his sepulchre its covering! Ye admirers of his greatness; ye emulous of his talents and his fame, approach, and behold him now. How pale! How silent! No martial bands admire the adroitness of his movements; no fascinating throng weep, and melt, and tremble at his eloquence! Amazing change! A shroud! a coffin! a narrow, subterraneous cabin! This is all that now

remains of Hamilton! And is this all that remains of him? During a life so transitory, what lasting monument, then, can our fondest hopes erect!

My brethren! we stand on the borders of an awful gulf, which is swallowing up all things human. And is there, amidst this universal wreck, nothing stable, nothing abiding, nothing immortal, on which poor, frail, dying man can fasten? Ask the hero, ask the statesman, whose wisdom you have been accustomed to revere, and he will tell you. He will tell you, did I say? He has already told you from his death-bed, and his illumined spirit still whispers from the heavens, with well-known eloquence, the solemn admonition.

"Mortals! hastening to the tomb, and once the companions of my pilgrimage, take warning and avoid my errors; cultivate the virtues I have recommended; choose the Saviour I have chosen; live disinterestedly; live for immortality; and, would you rescue anything from final dissolution, lay it up in God."

Thus speaks, methinks, our deceased benefactor, and thus he acted during his last sad hours. To the exclusion of every other concern, religion now claims all his thoughts. Jesus! Jesus, is now his only hope. The friends of Jesus are his friends; the ministers of the altar his companions. While these intercede, he listens in awful silence, or in profound submission whispers his assent. Sensible, deeply sensible of his sins, he pleads no merit of his own. He repairs to the mercy-seat, and there pours out his penitential sorrows, there he solicits pardon. Heaven, it should seem, heard and pitied the suppliant's cries. Disburdened of his sorrows, and looking up to God, he exclaims, "Grace, rich grace." "I have," said he, clasping his dying hands, and with faltering tongue, "I have a tender reliance on the mercy of God in Christ." In token of this reliance, and as an expression of his

faith, he receives the holy sacrament; and having done this, his mind becomes tranquil and serene. Thus he remains, thoughtful indeed, but unruffled to the last, and meets death with an air of dignified composure and with an eye directed to the heavens.

This last act, more than any other, sheds glory on his character. Everything else death effaces. Religion alone abides with him on his death-bed. He dies a Christian. This is all which can be enrolled of him among the archives of eternity. This is all that can make his name great in heaven. Let not the sneering infidel persuade you that this last act of homage to the Saviour resulted from an enfeebled state of mental faculties or from perturbation occasioned by the near approach of death. No; his opinions concerning the divine mission of Jesus Christ and the validity of the holy Scriptures had long been settled, and settled after laborious investigation and extensive and deep research. These opinions were not concealed. I knew them myself. Some of you, who hear me, knew them; and had his life been spared it was his determination to have published them to the world, together with the facts and reasons on which they were founded.

At a time when scepticism, shallow and superficial indeed, but depraved and malignant, is breathing forth its pestilential vapor, and polluting, by its unhallowed touch, everything divine and sacred, it is consoling to a devout mind to reflect that the great and the wise and the good of all ages, those superior geniuses whose splendid talents have elevated them almost above mortality and placed them next in order to angelic natures — yes, it is consoling to a devout mind to reflect that while dwarfish infidelity lifts up its deformed head and mocks these illustrious personages, though living in different ages, inhabiting different countries, nurtured in

different schools, destined to different pursuits, and differing on various subjects, should all, as if touched with an impulse from heaven, agree to vindicate the sacredness of revelation and present with one accord their learning, their talents, and their virtue on the gospel altar as an offering to Emanuel.

This is not exaggeration. Who was it that, over-leaping the narrow bounds which had hitherto been set to the human mind, ranged abroad through the immensity of space, discovered and illustrated those laws by which the Deity unites, binds, and governs all things? Who was it, soaring into the sublime of astronomic science, numbered the stars of heaven, measured their spheres, and called them by their names? It was Newton. But Newton was a Christian. Newton, great as he was, received instruction from the lips and laid his honors at the feet of Jesus. Who was it that developed the hidden combination, the component parts of bodies? Who was it dissected the animal, examined the flower, penetrated the earth, and ranged the extent of organic nature? It was Boyle. But Boyle was a Christian. Who was it that lifted the veil which had for ages covered the intellectual world, analyzed the human mind, defined its powers, and reduced its operations to certain and fixed laws? It was Locke. But Locke too was a Christian.

What more shall I say? For time would fail me to speak of Hale, learned in the law; of Addison, admired in the schools; of Milton, celebrated among the poets; and of Washington, immortal in the field and the cabinet. To this catalogue of professing Christians, from among, if I may speak so, a higher order of beings, may now be added the name of Alexander Hamilton — a name which raises in the mind the idea of whatever is great, whatever is splendid, whatever is illustrious in human nature; and which is now added to a catalogue

which might be lengthened — and lengthened — and lengthened, with the names of illustrious characters whose lives have blessed society and whose works form a column high as heaven; a column of learning, of wisdom, and of greatness, which will stand to future ages, an eternal monument of the transcendent talents of the advocates of Christianity, when every fugitive leaf from the pen of the canting infidel witlings of the day shall be swept by the tide of time from the annals of the world and buried with the names of their authors in oblivion.

To conclude. "How are the mighty fallen!" Fallen before the desolating hand of death. Alas! the ruins of the tomb! The ruins of the tomb are an emblem of the ruins of the world; when not an individual, but a universe, already marred by sin and hastening to dissolution, shall agonize and die! Directing your thoughts from the one, fix them for a moment on the other. Anticipate the concluding scene, the final catastrophe of nature, when the sign of the Son of man shall be seen in heaven; when the Son of man himself shall appear in the glory of his Father, and send forth judgment unto victory. The fiery desolation envelops towns, palaces, and fortresses; the heavens pass away! the earth melts! and all those magnificent productions of art which ages heaped on ages have reared up are in one awful day reduced to ashes.

Against the ruins of that day, as well as the ruins of the tomb which precede it, the gospel, in the cross of its great High Priest, offers you all a sanctuary; a sanctuary secure and abiding; a sanctuary which no lapse of time nor change of circumstances can destroy. No; neither life nor death. No; neither principalities nor powers.

Everything else is fugitive; everything else is mutable;

everything else will fail you. But this, the citadel of the Christian's hopes, will never fail you. Its base is adamant. It is cemented with the richest blood. The ransomed of the Lord crowd its portals. Embosomed in the dust which it encloses, the bodies of the redeemed "rest in hope." On its top dwells the Church of the first-born, who in delightful response with the angels of light chant redeeming love. Against this citadel the tempest beats, and around it the storm rages and spends its force in vain. Immortal in its nature, and incapable of change, it stands, and stands firm, amidst the ruins of a moldering world, and endures forever.

Thither fly, ye prisoners of hope! — that when earth, air, elements, shall have passed away, secure of existence and felicity, you may join with saints in glory to perpetuate the song which lingered on the faltering tongue of Hamilton, "Grace — rich Grace."

God grant us this honor. Then shall the measure of our joy be full, and to his name shall be the glory in Christ.

# O'CONNELL

DANIEL O'CONNELL, whom John Randolph of Roanoke called the first orator of Europe, and who, according to Disraeli, had the finest voice ever heard in Parliament, was born in 1775 near Cahirciveen, a small town in Kerry, Ireland. He acquired the rudiments of an education at a school in Cork, after which he became a student in the colleges of St. Omer and Douai. In 1798 he was called to the Irish bar, and although, as a Catholic, he was subjected to caste prejudice and many disabilities, he soon rose to the highest eminence among contemporary advocates. He formed the bold design of organizing the whole of Catholic Ireland on behalf of Catholic emancipation, and, after many years of conflict, he compelled in 1829 a British Government, avowedly hostile, to grant the claims of his co-religionists. He then organized the movement for the repeal of the Act of Union, but this project miscarried, and he died at Genoa in 1847, profoundly afflicted by the failure of his high hopes and by the misery which his country was then suffering from famine. O'Connell's oratorical style was marked by a peculiar subtlety and virile power, and produced great and striking effects. He had an unsurpassed command of a popular audience, and in the art of winning over juries he had scarcely an equal in the law courts.

## IRELAND WORTH DYING FOR

**DELIVERED AT MULLAGHMAST IN FAVOR OF ANNULLING THE UNION WITH ENGLAND, SEPTEMBER 1843**

I ACCEPT with the greatest alacrity the high honor you have done me in calling me to the chair of this majestic meeting. I feel more honored than I ever did in my life, with one single exception, and that related to, if possible, an equally majestic meeting at Tara. But I must say that if a comparison were instituted between them, it would take a more discriminating eye than mine to discover any difference between them. There are the

same incalculable numbers; there is the same firmness; there is the same determination; there is the same exhibition of love to old Ireland; there is the same resolution not to violate the peace; not to be guilty of the slightest outrage; not to give the enemy power by committing a crime, but peacefully and manfully to stand together in the open day, to protest before man and in the presence of God against the iniquity of continuing the Union.

At Tara, I protested against the Union—I repeat the protest at Mullaghmast. I declare solemnly my thorough conviction as a constitutional lawyer, that the Union is totally void in point of principle and of constitutional force. I tell you that no portion of the empire had the power to traffic on the rights and liberties of the Irish people. The Irish people nominated them to make laws, and not legislatures. They were appointed to act under the Constitution, and not annihilate it. Their delegation from the people was confined within the limits of the Constitution, and the moment the Irish Parliament went beyond those limits and destroyed the Constitution, that moment it annihilated its own power, but could not annihilate the immortal spirit of liberty, which belongs, as a rightful inheritance, to the people of Ireland. Take it then from me that the Union is void. I admit there is the force of a law, because it has been supported by the policeman's truncheon, by the soldier's bayonet, and by the horseman's sword; because it is supported by the courts of law and those who have power to adjudicate in them; but I say solemnly, it is not supported by constitutional right. The Union, therefore, in my thorough conviction, is totally void, and I avail myself of this opportunity to announce to several hundreds of thousands of my fellow-

subjects that the Union is an unconstitutional law and that it is not fated to last long—its hour is approaching. America offered us her sympathy and support. We refused the support, but we accepted the sympathy; and while we accepted the sympathy of the Americans, we stood upon the firm ground of the right of every human being to liberty; and I, in the name of the Irish nation, declare that no support obtained from America should be purchased by the price of abandoning principle for one moment, and that principle is that every human being is entitled to freedom.

My friends, I want nothing for the Irish but their country, and I think the Irish are competent to obtain their own country for themselves. I like to have the sympathy of every good man everywhere, but I want not armed support or physical strength from any country. The Republican party in France offered me assistance. I thanked them for their sympathy, but I distinctly refused to accept any support from them. I want support from neither France nor America, and if that usurper, Louis Philippe, who trampled on the liberties of his own gallant nation, thought fit to assail me in his newspaper, I returned the taunt with double vigor, and I denounce him to Europe and the world as a treacherous tyrant, who has violated the compact with his own country, and therefore is not fit to assist the liberties of any other country. I want not the support of France; I want not the support of America; I have physical support enough about me to achieve any change; but you know well that it is not my plan—I will not risk the safety of one of you. I could not afford the loss of one of you—I will protect you all, and it is better for you all to be merry and alive, to enjoy

the repeal of the Union; but there is not a man of you there that would not, if we were attacked unjustly and illegally, be ready to stand in the open field by my side. Let every man that concurs in that sentiment lift up his hand.

[*All hands were lifted*]

The assertion of that sentiment is our sure protection, for no person will attack us, and we will attack nobody. Indeed, it would be the height of absurdity for us to think of making any attack; for there is not one man in his senses in Europe or America that does not admit that the repeal of the Union is now inevitable. The English papers taunted us, and their writers laughed us to scorn; but now they admit that it is impossible to resist the application for repeal. More power to you. But that even shows we have power enough to know how to use it. Why, it is only this week that one of the leading London newspapers, called the "Morning Herald," which had a reporter at the Lismore meeting, published an account of that great and mighty meeting, and in that account the writer expressly says that it will be impossible to refuse so peaceable, so determined, so unanimous a people as the people of Ireland the restoration of their domestic legislature. For my own part, I would have thought it wholly unnecessary to call together so large a meeting as this, but for the trick played by Wellington, and Peel, and Graham, and Stanley, and the rest of the paltry administration, by whose government this country is disgraced. I don't suppose so worthless an administration ever before got together. Lord Stanley is a renegade from Whiggism, and Sir James Graham is worse. Sir Robert Peel has five hundred colors

on his bad standard, and not one of them is permanent. To-day it is orange, to-morrow it will be green, the day after neither one nor the other, but we shall take care that it shall never be dyed in blood.

Then there is the poor old Duke of Wellington, and nothing was ever so absurd as their deification of him in England. The English historian—rather the Scotch one—Alison, an arrant Tory, admits that the Duke of Wellington was surprised at Waterloo, and if he got victoriously out of that battle, it was owing to the valor of the British troops and their unconquerable determination to die, but not to yield. No man is ever a good soldier but the man who goes into the battle determined to conquer or not come back from the battlefield. No other principle makes a good soldier; conquer or die is the battle-cry for the good soldier; conquer or die is his only security. The Duke of Wellington had troops at Waterloo that had learned that word, and there were Irish troops among them. You all remember the verses made by poor Shan Van Vocht:

> "At famed Waterloo
> Duke Wellington would look blue
> If Paddy was not there too,
> Says the Shan Van Vocht."

Yes, the glory he got there was bought by the blood of the English, Irish, and Scotch soldiers—the glory was yours. He is nominally a member of the administration, but yet they would not intrust him with any kind of office. He has no duty at all to perform, but a sort of Irish anti-repeal warden. I thought I never would be obliged to the Ministry, but I am obliged to them. They put a speech abusing the Irish into the Queen's mouth. They accused us of disaffection, but they lied; it is their

speech; there is no disaffection in Ireland. We were loyal to the sovereigns of Great Britain, even when they were our enemies; we were loyal to George III. even when he betrayed us; we were loyal to George IV. when he blubbered and cried when we forced him to emancipate us; we were loyal to old Billy, though his Minister put into his mouth a base, bloody, and intolerant speech against Ireland; and we are loyal to the Queen, no matter what our enemies may say to the contrary. It is not the Queen's speech, and I pronounce it to be a lie. There is no dissatisfaction in Ireland, but there is this—a full determination to obtain justice and liberty. I am much obliged to the Ministry for that speech, for it gives me, among other things, an opportunity of addressing such meetings as this. I had held the monster meetings. I had fully demonstrated the opinion of Ireland. I was convinced their unanimous determination to obtain liberty was sufficiently signified by the many meetings already held; but when the Minister's speech came out, it was necessary to do something more. Accordingly, I called a monster meeting at Loughrea. I called another meeting in Cliffden. I had another monster meeting in Lismore, and here now we are assembled on the Rath of Mullaghmast.

At Mullaghmast (and I have chosen this for this obvious reason), we are on the precise spot where English treachery—ay, and false Irish treachery, too—consummated a massacre that has never been imitated, save in the massacre of the Mamelukes by Mehemet Ali. It was necessary to have Turks atrocious enough to commit a crime equal to that perpetrated by Englishmen. But do not think that the massacre of Mullaghmast was a question between Protestants and Catholics—it was no such

thing. The murdered persons were to be sure Catholics, but a great number of the murderers were also Catholic and Irishmen, because there were then, as well as now, many Catholics who were traitors to Ireland. But we have now this advantage, that we may have many honest Protestants joining us—joining us heartily in hand and heart, for old Ireland and liberty. I thought this a fit and becoming spot to celebrate, in the open day, our unanimity in declaring our determination not to be misled by any treachery. Oh, my friends, I will keep you clear of all treachery—there shall be no bargain, no compromise with England—we shall take nothing but repeal, and a Parliament in College Green. You will never, by my advice, confide in any false hopes they hold out to you; never confide in anything coming from them, or cease from your struggle, no matter what promise may be held to you, until you hear me say I am satisfied; and I will tell you where I will say that—near the statue of King William, in College Green. No; we came here to express our determination to die to a man, if necessary, in the cause of old Ireland. We came to take advice of each other, and, above all, I believe you came here to take my advice. I can tell you, I have the game in my hand —I have the triumph secure—I have the repeal certain, if you but obey my advice.

I will go slow—you must allow me to do so—but you will go sure. No man shall find himself imprisoned or persecuted who follows my advice. I have led you thus far in safety; I have swelled the multitude of repealers until they are identified with the entire population, or nearly the entire population, of the land, for seven-eighths of the Irish people are now enrolling themselves repeal-

ers. [Cheers and cries of "More power to you."] I don't want more power; I have power enough; and all I ask of you is to allow me to use it. I will go on quietly and slowly, but I will go on firmly, and with a certainty of success. I am now arranging a plan for the formation of the Irish House of Commons.

It is a theory, but it is a theory that may be realized in three weeks. The repeal arbitrators are beginning to act; the people are submitting their differences to men chosen by themselves. You will see by the newspapers that Doctor Gray and my son, and other gentlemen, have already held a petty session of their own, where justice will be administered free of all expense to the people. The people shall have chosen magistrates of their own in the room of the magistrates who have been removed. The people shall submit their differences to them, and shall have strict justice administered to them that shall not cost them a single farthing. I shall go on with that plan until we have all disputes settled and decided by justices appointed by the people themselves. ["Long may you live!"] I wish to live long enough to have perfect justice administered to Ireland, and liberty proclaimed throughout the land. It will take me some time to prepare my plan for the formation of the new Irish House of Commons—that plan which we will yet submit to her Majesty for her approval when she gets rid of her present paltry administration and has one that I can support. But I must finish that job before I go forth, and one of my reasons for calling you together is to state my intentions to you. Before I arrange my plan, the Conciliation Hall will be finished, and it will be worth any man's while to go from Mullaghmast to Dublin to see it.

When we have it arranged I will call together three hundred, as the "Times" called them, "bogtrotters," but better men never stepped on pavement. But I will have the three hundred, and no thanks to them. Wales is up at present, almost in a state of insurrection. The people there have found that the landlords' power is too great, and has been used tyrannically, and I believe you agree with them tolerably well in that. They insist on the sacredness of the right of the tenants to security of possession, and with the equity of tenure which I would establish we will do the landlords full justice, but we will do the people justice also. We will recollect that the land is the landlord's, and let him have the benefit of it, but we will also recollect that the labor belongs to the tenant, and the tenant must have the value of his labor, not transitory and by the day, but permanently and by the year. Yes, my friends, for this purpose I must get some time. I worked the present repeal year tolerably well. I believe no one in January last would believe that we could have such a meeting within the year as the Tara demonstration. You may be sure of this—and I say it in the presence of Him who will judge me—that I never will wilfully deceive you. I have but one wish under Heaven, and that is for the liberty and prosperity of Ireland. I am for leaving England to the English, Scotland to the Scotch, but we must have Ireland for the Irish. I will not be content until I see not a single man in any office, from the lowest constable to the Lord Chancellor, but Irishmen. This is our land, and we must have it. We will be obedient to the Queen, joined to England by the golden link of the Crown, but we must have our own Parliament, our own bench, our own magistrates, and we

will give some of the *shoneens* who now occupy the bench leave to retire, such as those lately appointed by Sugden. He is a pretty boy, sent here from England; but I ask: Did you ever hear such a name as he has got? I remember, in Wexford, a man told me he had a pig at home which he was so fond of that he would call it Sugden. No; we shall get judicial independence for Ireland. It is for this purpose we are assembled here to-day, as every countenance I see around me testifies. If there is any one here who is for the Union, let him say so. Is there anybody here for the repeal? [Cries of "All, all!"]

Yes, my friends, the Union was begot in iniquity—it was perpetuated in fraud and cruelty. It was no compact, no bargain, but it was an act of the most decided tyranny and corruption that was ever yet perpetrated. Trial by jury was suspended—the right of personal protection was at an end—courts-martial sat throughout the land—and the county of Kildare, among others, flowed with blood. Oh, my friends, listen now to the man of peace, who will never expose you to the power of your enemies. In 1798 there were some brave men, some valiant men, to head the people at large; but there were many traitors, who left the people in the power of their enemies. The Curragh of Kildare afforded an instance of the fate which Irishmen were to expect, who confided in their Saxon enemies. Oh, it was an ill-organized, a premature, a foolish, and an absurd insurrection; but you have a leader now who never will allow you to commit any act so foolish or so destructive. How delighted do I feel with the thorough conviction which has come over the minds of the people, that they could not gratify your enemies more than by committing a crime. No; our an-

cestors suffered for confiding in the English, but we never will confide in them. They suffered for being divided among themselves. There is no division among us. They suffered for their own dissensions—for not standing man to man by each other's side. We shall stand peaceably side by side in the face of every enemy. Oh, how delighted was I in the scenes which I witnessed as I came along here to-day! How my heart throbbed, how my spirit was elevated, how my bosom swelled with delight at the multitude which I beheld, and which I shall behold, of the stalwart and strong men of Kildare! I was delighted at the activity and force that I saw around me, and my old heart grew warm again in admiring the beauty of the dark-eyed maids and matrons of Kildare. Oh, there is a starlight sparkling from the eye of a Kildare beauty, that is scarcely equalled, and could not be excelled, all over the world. And remember that you are the sons, the fathers, the brothers, and the husbands of such women, and a traitor or a coward could never be connected with any of them. Yes, I am in a county, remarkable in the history of Ireland for its bravery and its misfortune, for its credulity in the faith of others, for its people judged of the Saxon by the honesty and honor of their own natures. I am in a county celebrated for the sacredness of its shrines and fanes. I am in a county where the lamp of Kildare's holy shrine burned with its sacred fire, through ages of darkness and storm—that fire which for six centuries burned before the high altar without being extinguished, being fed continuously, without the slightest interruption, and it seemed to me to have been not an inapt representation of the continuous fidelity and religious love of country of the men of Kildare. Yes, you

have those high qualities—religious fidelity, continuous love of country. Even your enemies admit that the world has never produced any people that exceeded the Irish in activity and strength. The Scottish philosopher has declared, and the French philosopher has confirmed it, that number one in the human race is, blessed be Heaven, the Irishman. In moral virtue, in religion, in perseverance, and in glorious temperance, you excel. Have I any teetotalers here? Yes, it is teetotalism that is repealing the Union. I could not afford to bring you together, I would not dare to bring you together, but that I had the teetotalers for my police.

Yes, among the nations of the earth, Ireland stands number one in the physical strength of her sons and in the beauty and purity of her daughters. Ireland, land of my forefathers, how my mind expands, and my spirit walks abroad in something of majesty, when I contemplate the high qualities, inestimable virtues, and true purity and piety and religious fidelity of the inhabitants of your green fields and productive mountains. Oh, what a scene surrounds us! It is not only the countless thousands of brave and active and peaceable and religious men that are here assembled, but Nature herself has written her character with the finest beauty in the verdant plains that surround us. Let any man run round the horizon with his eye, and tell me if created nature ever produced anything so green and so lovely, so undulating, so teeming with production. The richest harvests that any land can produce are those reaped in Ireland; and then here are the sweetest meadows, the greenest fields, the loftiest mountains, the purest streams, the noblest rivers, the most capacious harbors—and her water power is equal to turn the machinery of the

whole world. Oh, my friends, it is a country worth fighting for—it is a country worth dying for; but, above all, it is a country worth being tranquil, determined, submissive, and docile for; disciplined as you are in obedience to those who are breaking the way, and trampling down the barriers between you and your constitutional liberty, I will see every man of you having a vote, and every man protected by the ballot from the agent or landlord. I will see labor protected, and every title to possession recognized, when you are industrious and honest. I will see prosperity again throughout your land—the busy hum of the shuttle and the tinkling of the smithy shall be heard again. We shall see the nailer employed even until the middle of the night, and the carpenter covering himself with his chips. I will see prosperity in all its gradations spreading through a happy, contented, religious land. I will hear the hymn of a happy people go forth at sunrise to God in praise of his mercies—and I will see the evening sun set down among the uplifted hands of a religious and free population. Every blessing that man can bestow and religion can confer upon the faithful heart shall spread throughout the land. Stand by me—join with me—I will say be obedient to me, and Ireland shall be free.

## DEMANDING JUSTICE

SPEECH DELIVERED IN THE HOUSE OF COMMONS, FEBRUARY 4, 1836

IT APPEARS to me impossible to suppose that the House will consider me presumptuous in wishing to be heard for a short time on this question, especially after the distinct manner in which I have been alluded to in the course of the debate. If I had no other excuse, that would be sufficient; but I do not want it; I have another and a better—the question is one in the highest degree interesting to the people of Ireland. It is, whether we mean to do justice to that country—whether we mean to continue the injustice which has been already done to it, or to hold out the hope that it will be treated in the same manner as England and Scotland. That is the question. We know what "lip service" is; we do not want that. There are some men who will even declare that they are willing to refuse justice to Ireland; while there are others who, though they are ashamed to say so, are ready to consummate the iniquity, and they do so.

England never did do justice to Ireland—she never did. What we have got of it, we have extorted from men opposed to us on principle—against which principle they have made us such concessions as we have obtained from them. The right honorable baronet opposite [Sir Robert Peel] says he does not distinctly understand what is meant by a principle. I believe him. He advocated religious exclusion on religious motives: he yielded that point at length, when we were strong enough to make it prudent for him to do so.

Here am I calling for justice to Ireland; but there is a coalition to-night—not a base unprincipled one—God forbid!—it is an extremely natural one; I mean that between the right honorable baronet and the noble lord the member for North Lancashire [Lord Stanley]. It is a natural coalition—and it is impromptu; for the noble lord informs us he had not even a notion of taking the part he has, until the moment at which he seated himself where he now is. I know his candor: he told us it was a sudden inspiration which induced him to take part against Ireland. I believe it with the most potent faith, because I know that he requires no preparation for voting against the interests of the Irish people. [Groans.] I thank you for that groan—it is just of a piece with the rest. I regret much that I have been thrown upon arguing this particular question, because I should have liked to have dwelt upon the speech which has been so graciously delivered from the throne to-day—to have gone into its details, and to have pointed out the many great and beneficial alterations and amendments in our existing institutions which it hints at and recommends to the House. The speech of last year was full of reforms in words, and in words only; but this speech contains the great leading features of all the salutary reforms the country wants; and if they are worked out fairly and honestly in detail, I am convinced the country will require no further amelioration of its institutions, and that it will become the envy and admiration of the world. I, therefore, hail the speech with great satisfaction.

It has been observed that the object of a king's speech is to say as little in as many words as possible; but this speech contains more things than words—it contains those great principles which, adopted in practice, will be most

salutary, not only to the British Empire, but to the world. When speaking of our foreign policy, it rejoices in the co-operation between France and this country; but it abstains from conveying any ministerial approbation of alterations in the domestic laws of that country which aim at the suppression of public liberty, and the checking of public discussion, such as call for individual reprobation, and which I reprobate as much as any one. I should like to know whether there is a statesman in the country who will get up in this House and avow his approval of such proceedings on the part of the French Government. I know it may be done out of the House amid the cheers of an assembly of friends; but the government have, in my opinion, wisely abstained from reprobating such measures in the speech, while they have properly exulted in such a union of the two countries as will contribute to the national independence and the public liberty of Europe. . . .

Years are coming over me, but my heart is as young and as ready as ever in the service of my country, of which I glory in being the pensionary and the hired advocate. I stand in a situation in which no man ever stood yet—the faithful friend of my country—its servant—its slave, if you will—I speak its sentiments by turns to you and to itself. I require no £20,000,000 on behalf of Ireland—I ask you only for justice—will you—can you—I will not say dare you refuse, because that would make you turn the other way. I implore you, as English gentlemen, to take this matter into consideration now, because you never had such an opportunity of conciliating. Experience makes fools wise; you are not fools, but you have yet to be convinced. I cannot forget the year 1825. We begged then as we would for a beggar's boon; we

asked for emancipation by all that is sacred among us, and I remember how my speech and person were treated on the Treasury Bench, when I had no opportunity of reply. The other place turned us out and sent us back again, but we showed that justice was with us. The noble lord says the other place has declared the same sentiments with himself; but he could not use a worse argument. It is the very reason why we should acquiesce in the measure of reform, for we have no hope from that House—all our hopes are centred in this; and I am the living representative of those hopes. I have no other reason for adhering to the Ministry than because they, the chosen representatives of the people of England, are anxiously determined to give the same measure of reform to Ireland as that which England has received. I have not fatigued myself, but the House, in coming forward upon this occasion. I may be laughed and sneered at by those who talk of my power; but what has created it but the injustice that has been done in Ireland? That is the end and the means of the magic, if you please—the groundwork of my influence in Ireland. If you refuse justice to that country, it is a melancholy consideration to me to think that you are adding substantially to that power and influence, while you are wounding my country to its very heart's core; weakening that throne, the monarch who sits upon which, you say you respect; severing that union which, you say, is bound together by the tightest links, and withholding that justice from Ireland which she will not cease to seek until it is obtained; every man must admit that the course I am taking is the legitimate and proper course—I defy any man to say it is not. Condemn me elsewhere as much as you please, but this you

must admit. You may taunt the Ministry with having coalesced me, you may raise the vulgar cry of "Irishman and Papist" against me, you may send out men called ministers of God to slander and calumniate me; they may assume whatever garb they please, but the question comes into this narrow compass. I demand, I respectfully insist on equal justice for Ireland, on the same principle by which it has been administered to Scotland and England. I will not take less. Refuse me that if you can.

# CLAY

HENRY CLAY was born near Richmond, Virginia, in 1777. The son of a Baptist minister, who died when the boy was but five years old, he passed his youth in hardship, and for a time worked on a farm. At the age of fifteen he obtained employment in the office of the Clerk of the Court of Chancery, and having gained some influential friends, began in 1796 to study law. A year later he was admitted to the bar and began to practice in Lexington, Kentucky. Having taken a conspicuous part in the discussions concerning the Constitution to be adopted by the State of Kentucky, he was in 1803 chosen member of the Legislature. Three years later, although less than thirty years of age, he became for a few months member of the Senate of the United States. In the next year he again took a seat in the Legislature of Kentucky, of which in 1808 he was chosen Speaker. In 1811 he became a member of the Federal House of Representatives, and was at once elected Speaker, a position which he subsequently held four times. All his energies were now devoted to bringing about a war between the United States and Great Britain. At the end of the contest he was appointed one of the commissioners who were sent to Ghent to conclude a treaty of peace. In 1824 he allowed himself to be nominated for the Presidency, and when the election went to the House of Representatives, Clay gave his support to John Quincy Adams. In Adams' administration Clay held the post of Secretary of State. In 1832, and again in 1844, he was an unsuccessful candidate for the Presidency. After the last-named year he retired from public life, but in 1848 he was again sent to the Federal Senate from Kentucky, and in 1850 carried the compromise measures by which he sought to avert a rupture of the Union on the slavery question. He died on July 29, 1851.

## DICTATORS IN AMERICAN POLITICS

DENOUNCING ANDREW JACKSON, DELIVERED IN THE UNITED STATES SENATE, ON THE POINDEXTER RESOLUTION, APRIL 30, 1834

NEVER, Mr. President, have I known or read of an administration which expires with so much agony, and so little composure and resignation, as that which now unfortunately has the control of public affairs in this country. It exhibits a state of mind, feverish, fret-

ful, and fidgety, bounding recklessly from one desperate expedient to another, without any sober or settled purpose. Ever since the dog days of last summer, it has been making a succession of the most extravagant plunges, of which the extraordinary Cabinet paper, a sort of appeal from a dissenting Cabinet to the people, was the first; and the protest, a direct appeal from the Senate to the people, is the last and the worst.

A new philosophy has sprung up within a few years past, called Phrenology. There is, I believe, something in it, but not quite as much as its ardent followers proclaim. According to its doctrines, the leading passion, propensity, and characteristics of every man are developed in his physical conformation, chiefly in the structure of his head. Gall and Spurzheim, its founders, or most eminent propagators, being dead, I regret that neither of them can examine the head of our illustrious Chief Magistrate. But, if it could be surveyed by Dr. Caldwell, of Transylvania University, I am persuaded that he would find the organ of destructiveness prominently developed. Except an enormous fabric of executive power for himself, the President has built up nothing, constructed nothing, and will leave no enduring monument of his administration. He goes for destruction, universal destruction; and it seems to be his greatest ambition to efface and obliterate every trace of the wisdom of his predecessors. He has displayed this remarkable trait throughout his whole life, whether in private walks or in the public service. He signally and gloriously exhibited that peculiar organ when contending against the enemies of his country, in the battle of New Orleans. For that brilliant exploit, no one has ever been more ready than myself to award him all due honor. At the head of our

armies was his appropriate position, and most unfortunate for his fame was the day when he entered on the career of administration as the chief executive officer. He lives by excitement, perpetual, agitating excitement, and would die in a state of perfect repose and tranquillity. He has never been without some subject of attack, either in individuals, or in masses, or in institutions. I, myself, have been one of his favorites, and I do not know but that I have recently recommended myself to his special regard. During his administration this has been his constant course. The Indians and Indian policy, internal improvements, the colonial trade, the Supreme Court, Congress, the bank, have successively experienced the attacks of his haughty and imperious spirit. And if he tramples the bank in the dust, my word for it, we shall see him quickly in chase of some new subject of his vengeance. This is the genuine spirit of conquerors and of conquest. It is said by the biographer of Alexander the Great, that, after he had completed his Asiatic conquests, he seemed to sigh because there were no more worlds for him to subdue; and, finding himself without further employment for his valor or his arms, he turned within himself to search the means to gratify his insatiable thirst of glory. What sort of conquest he achieved of himself, the same biographer tragically records.

Already has the President singled out and designated, in the Senate of the United States, the new object of his hostile pursuit; and the protest, which I am now to consider, is his declaration of war. What has provoked it? The Senate, a component part of the Congress of the United States, at its last adjournment left the Treasury of the United States in the safe custody of the persons and places assigned by law to keep it. Upon reassembling, it found the treasure re-

moved; some of its guardians displaced; all, remaining, brought under the immediate control of the President's sole will; and the President having free and unobstructed access to the public money. The Senate believes that the purse of the nation is, by the Constitution and laws, intrusted to the exclusive legislative care of Congress. It has dared to avow and express this opinion, in a resolution adopted on the twenty-eighth of March last. That resolution was preceded by a debate of three months' duration, in the progress of which the able and zealous supporters of the Executive in the Senate were attentively heard. Every argument which their ample resources, or those of the members of the Executive, could supply was listened to with respect, and duly weighed. After full deliberation, the Senate expressed its conviction that the Executive had violated the Constitution and laws. It cautiously refrained in the resolution from all examination into the motives or intention of the Executive; it ascribed no bad ones to him; it restricted itself to a simple declaration of its solemn belief that the Constitution and laws had been violated. This is the extent of the offence of the Senate. This is what it has done to excite the Executive indignation and to bring upon it the infliction of a denunciatory protest.

The President comes down upon the Senate and demands that it record upon its journal this protest. He recommends no measure—no legislation whatever. He proposes no executive proceeding on the part of the Senate. He requests the recording of his protest, and he requests nothing more nor less. The Senate has abstained from putting on its own record any vindication of the resolution of which the President complains. It has not asked of him to place it, where he says he has put his protest, in the archives of the

Executive. He desires, therefore, to be done for him, on the journal of the Senate, what has not been done for itself. The Senate keeps no recording office for protests, deeds, wills, or other instruments. The Constitution enjoins that "each House shall keep a journal of its proceedings." In conformity with this requirement, the Senate does keep a journal of its proceedings—not the proceedings of the Executive, or any other department of the government, except so far as they relate directly to the business of the Senate. The President sometimes professes to favor a strict construction of the Constitution, at least in regard to the powers of all the departments of the government other than that of which he is the chief. As to that, he is the greatest latitudinarian that has ever filled the office of President. Upon any fair construction of the Constitution, how can the Senate be called upon to record upon its journal any proceedings but its own? It is true that the ordinary messages of the President are usually inserted at large in the journal. Strictly speaking, it perhaps ought never to have been done; but they have been heretofore registered, because they relate to the general business of the Senate, either in its legislative or executive character, and have been the basis of subsequent proceedings. The protest stands upon totally distinct ground.

The President professes to consider himself as charged by the resolution with "the high crime of violating the laws and Constitution of my country." He declares that "one of the most important branches of the government, in its official capacity, in a public manner, and by its recorded sentence, but without precedent, competent authority, or just cause, declares him guilty of a breach of the laws and Constitution." The protest further alleges that such an act

as the Constitution describes "constitutes a high crime—one of the highest, indeed, which the President can commit—a crime which justly exposes him to an impeachment by the House of Representatives; and, upon due conviction, to removal from office, and to the complete and immutable disfranchisement prescribed by the Constitution." It also asserts: "The resolution, then, was an impeachment of the President, and in its passage amounts to a declaration by a majority of the Senate, that he is guilty of an impeachable offence." The President is also of opinion that to say that the resolution does not expressly allege that the assumption of power and authority which it condemns was intentional and corrupt, is no answer to the preceding view of its character and effect. "The act thus condemned necessarily implies volition and design in the individual to whom it is imputed; and, being unlawful in its character, the legal conclusion is, that it was prompted by improper motives and committed with an unlawful intent." . . . "The President of the United States, therefore, has been, by a majority of his constitutional triers, accused and found guilty of an impeachable offence."

Such are the deliberate views, entertained by the President, of the implications, effects, and consequences of the resolution. It is scarcely necessary to say that they are totally different from any which were entertained by the Senate, or by the mover of the resolution. The Senate carefully abstained from looking into the *quo animo*, from all examination into the motives or intention with which the violation of the Constitution and laws was made. No one knows those motives and intentions better than the President himself. If he chooses to supply the omission of the resolution, if he thinks proper to pronounce his own

self-condemnation, his guilt does not flow from what the Senate has done, but from his own avowal. Having cautiously avoided passing upon his guilt by prejudgment, so neither ought his acquittal to be pronounced by anticipation.

But, I would ask, in what tone, temper, and spirit does the President come to the Senate? As a great State culprit who has been arraigned at the bar of justice, or sentenced as guilty? Does he manifest any of those compunctious visitings of conscience which a guilty violator of the Constitution and laws of the land ought to feel? Does he address himself to a high court with the respect, to say nothing of humility, which a person accused or convicted would naturally feel? No, no. He comes as if the Senate were guilty, as if he were in the judgment-seat, and the Senate stood accused before him. He arraigns the Senate; puts it upon trial; condemns it; he comes as if he felt himself elevated far above the Senate, and beyond all reach of the law, surrounded by unapproachable impunity. He who professes to be an innocent and injured man gravely accuses the Senate, and modestly asks it to put upon its own record his sentence of condemnation! When before did the arraigned or convicted party demand of the court which was to try, or had condemned him, to enter upon their records a severe denunciation of their own conduct? The President presents himself before the Senate, not in the garb of suffering innocence, but in imperial and royal costume—as a dictator, to rebuke a refractory Senate; to command it to record his solemn protest; to chastise it for disobedience.

> "The hearts of princes kiss obedience,
> So much they love it; but to stubborn spirits
> They swell, and grow as terrible as storms."

We shall better comprehend the nature of the request which the President has made of the Senate, by referring to his own opinions expressed in the protest. He says that the resolution is a recorded sentence, "but without precedent, just cause, or competent authority." He "is perfectly convinced that the discussion and passage of the above-mentioned resolutions were not only unauthorized by the Constitution, but in many respects repugnant to its provisions, and subversive of the rights secured by it to other co-ordinate departments." We had no right, it seems, then, even to discuss, much less express any opinion on, the President's proceedings encroaching upon our constitutional powers. And what right had the President to look at all into our discussions? What becomes of the constitutional provision which, speaking of Congress, declares, "for any speech or debate in either House, they shall not be questioned in any other place"?

The President thinks "the resolution of the Senate is wholly unauthorized by the Constitution, and in derogation of its entire spirit." He proclaims that the passage, recording, and promulgation of the resolution affixes guilt and disgrace to the President, "in a manner unauthorized by the Constitution." But, says the President, if the Senate had just cause to entertain the belief that the House of Representatives would not impeach him, that cannot justify "the assumption by the Senate of powers not conferred by the Constitution." The protest continues: "It is only necessary to look at the condition in which the Senate and the President have been placed by this proceeding, to perceive its utter incompatibility with the provisions and the spirit of the Constitution, and with the plainest dictates of humanity and justice." A majority of the Senate assume

the function which belongs to the House of Representatives, and "convert themselves into accusers, witnesses, counsel, and judges, and prejudge the whole case." If the House of Representatives shall consider that there is no cause of impeachment, and prefer none, "then will the violation of privilege as it respects that House, of justice as it regards the President, and of the Constitution as it relates to both, be more conspicuous and impressive." The Senate is charged with the "unconstitutional power of arraigning and censuring the official conduct of the Executive." The people, says the protest, will be compelled to adopt the conclusion, "either that the Chief Magistrate was unworthy of their respect, or that the Senate was chargeable with calumny and injustice." There can be no doubt which branch of this alternative was intended to be applied. The President throughout the protest labors to prove himself worthy of all respect from the people. Finally, the President says: "It is due to the high trust with which I have been charged, to those who may be called to succeed me in it, to the representatives of the people whose constitutional prerogative has been unlawfully assumed, to the people and to the States, and to the Constitution they have established, that I should not permit its provisions to be broken down by such an attack on the Executive department, without at least some effort 'to preserve, protect, and defend them.'"

These are the opinions which the President expresses in the protest, of the conduct of the Senate. In every form, and every variety of expression, he accuses it of violating the express language and spirit of the Constitution; of encroaching not only on his prerogatives, but those of the House of Representatives; of forgetting the sacred character and impartiality which belong to the highest court of justice

in the Union; of injustice, of inhumanity, and of calumny. And we are politely requested to spread upon our own journal these opinions entertained of us by the President, that they may be perpetually preserved and handed down to posterity! The President respectfully requests it! He might as well have come to us and respectfully requested us to allow him to pull our noses, or kick us, or receive his stripes upon our backs. The degradation would not have been much more humiliating.

The President tells us, in the same protest, that any breach or violation of the Constitution and laws draws after it, and necessarily implies, volition and design, and that the legal conclusion is that it was prompted by improper motives and committed with an unlawful intent. He pronounces, therefore, that the Senate, in the violations of the Constitution which he deliberately imputes to it, is guilty; that volition and design, on the part of the Senate, are necessarily implied; and that the legal conclusion is that the Senate was prompted by improper motives, and committed the violation with an unlawful intent. And he most respectfully and kindly solicits the Senate to overleap the restraint of the Constitution, which limits its journal to the record of its own proceedings, and place alongside of them his sentence of condemnation of the Senate.

That the President did not intend to make the journal of the Senate a medium of conveying his sentiments to the people is manifest. He knows perfectly well how to address to them his appeals. And the remarkable fact is established, by his private secretary, that, simultaneously with the transmission to the Senate of his protest, a duplicate was transmitted to the "Globe," his official paper, for publication; and it was forthwith published accordingly. For

what purpose, then, was it sent here? It is painful to avow the belief, but one is compelled to think it was only sent in a spirit of insult and defiance.

The President is not content with vindicating his own rights. He steps forward to maintain the privileges of the House of Representatives also. Why? Was it to make the House his ally, and to excite its indignation against the offending Senate? Is not the House perfectly competent to sustain its own privileges against every assault? I should like to see, sir, a resolution introduced into the House, alleging a breach of its privileges by a resolution of the Senate, which was intended to maintain unviolated the constitutional rights of both Houses in regard to the public purse, and to be present at its discussion.

The President exhibits great irritation and impatience at the presumptuousness of a resolution, which, without the imputation of any bad intention or design, ventures to allege that he has violated the Constitution and laws. His constitutional and official infallibility must not be questioned. To controvert it is an act of injustice, inhumanity, and calumny. He is treated as a criminal, and, without summons, he is prejudged, condemned, and sentenced. Is the President scrupulously careful of the memory of the dead, or the feelings of the living, in respect to violations of the Constitution? If a violation by him implies criminal guilt, a violation by them cannot be innocent and guiltless. And how has the President treated the memory of the immortal Father of his Country? that great man, who, for purity of purpose and character, wisdom and moderation, unsullied virtue and unsurpassed patriotism, is without competition in past history or among living men, and whose equal we scarcely dare hope will ever be again pre-

sented as a blessing to mankind. How has he been treated by the President? Has he not again and again pronounced that, by approving the bill chartering the first Bank of the United States, Washington violated the Constitution of his country? That violation, according to the President, included volition and design, was prompted by improper motives, and was committed with an unlawful intent. It was the more inexcusable in Washington, because he assisted and presided in the convention which formed the Constitution. If it be unjust to arraign, try unheard, and condemn as guilty, a living man filling an exalted office, with all the splendor, power, and influence which that office possesses, how much more cruel is it to disturb the sacred and venerated ashes of the illustrious dead, who can raise no voice and make no protests against the imputation of high crime!

What has been the treatment of the President toward that other illustrious man, yet spared to us, but who is lingering upon the very verge of eternity? Has he abstained from charging the Father of the Constitution with criminal intent in violating the Constitution? Mr. Madison, like Washington, assisted in the formation of the Constitution; was one of its ablest expounders and advocates; and was opposed, on constitutional ground, to the first Bank of the United States. But, yielding to the force of circumstances, and especially to the great principle, that the peace and stability of human society require that a controverted question, which has been finally settled by all the departments of government by long acquiescence, and by the people themselves, should not be open to perpetual dispute and disturbance, he approved the bill chartering the present Bank of the United States. Even the name of James

Madison, which is but another for purity, patriotism, profound learning, and enlightened experience, cannot escape the imputations of his present successor.

And, lastly, how often has he charged Congress itself with open violations of the Constitution? Times almost without number. During the present session he has sent in a message, in regard to the land bill, in which he has charged it with an undisguised violation. A violation so palpable, that it is not even disguised, and must, therefore, necessarily imply a criminal intent. Sir, the advisers of the President, whoever they are, deceive him and themselves. They have vainly supposed that, by an appeal to the people, and an exhibition of the wounds of the President, they could enlist the sympathies and the commiseration of the people—that the name of Andrew Jackson would bear down the Senate and all opposition. They have yet to learn, what they will soon learn, that even a good and responsible name may be used so frequently, as an indorser, that its credit and the public confidence in its solidity have been seriously impaired. They mistake the intelligence of the people, who are not prepared to see and sanction the President putting forth indiscriminate charges of a violation of the Constitution against whomsoever he pleases, and exhibiting unmeasured rage and indignation when his own infallibility is dared to be questioned.

## ON THE EXPUNGING RESOLUTIONS

PERORATION OF THE SPEECH OF JANUARY 16, 1837, DELIVERED IN THE UNITED STATES SENATE AGAINST ANDREW JACKSON

*Mr. President:*

WHAT patriotic purpose is to be accomplished by this Expunging resolution? What new honor or fresh laurels will it win for our common country? Is the power of the Senate so vast that it ought to be circumscribed, and that of the President so restricted that it ought to be extended? What power has the Senate? None, separately. It can only act jointly with the other House, or jointly with the Executive. And although the theory of the Constitution supposes, when consulted by him, it may freely give an affirmative or negative response, according to the practice, as it now exists, it has lost the faculty of pronouncing the negative monosyllable. When the Senate expresses its deliberate judgment, in the form of resolution, that resolution has no compulsory force, but appeals only to the dispassionate intelligence, the calm reason, and the sober judgment, of the community. The Senate has no army, no navy, no patronage, no lucrative offices, no glittering honors, to bestow. Around us there is no swarm of greedy expectants, rendering us homage, anticipating our wishes, and ready to execute our commands.

How is it with the President? Is he powerless? He is felt from one extremity to the other of this vast Republic. By means of principles which he has introduced, and inno-

vations which he has made in our institutions, alas! but too much countenanced by Congress and a confiding people, he exercises, uncontrolled, the power of the State. In one hand he holds the purse, and in the other brandishes the sword of the country. Myriads of dependants and partisans, scattered over the land, are ever ready to sing hosannas to him, and to laud to the skies whatever he does. He has swept over the government, during the last eight years, like a tropical tornado. Every department exhibits traces of the ravages of the storm. Take as one example the Bank of the United States. No institution could have been more popular with the people, with Congress, and with State Legislatures. None ever better fulfilled the great purposes of its establishment. But it unfortunately incurred the displeasure of the President; he spoke, and the bank lies prostrate. And those who were loudest in its praise are now loudest in its condemnation. What object of his ambition is unsatisfied? When disabled from age any longer to hold the sceptre of power, he designates his successor, and transmits it to his favorite! What more does he want? Must we blot, deface, and mutilate the records of the country, to punish the presumptuousness of expressing an opinion contrary to his own?

What patriotic purpose is to be accomplished by this Expunging resolution? Can you make that not to be which has been? Can you eradicate from memory and from history the fact that in March, 1834, a majority of the Senate of the United States passed the resolution which excites your enmity? Is it your vain and wicked object to arrogate to yourselves that power of annihilating the past which has been denied to Omnipotence itself? Do you intend to thrust your hands into our hearts, and to pluck out the

deeply rooted convictions which are there? Or is it your design merely to stigmatize us? You cannot stigmatize us.

"Ne'er yet did base dishonor blur our name."

Standing securely upon our conscious rectitude, and bearing aloft the shield of the Constitution of our country, your puny efforts are impotent; and we defy all your power. Put the majority of 1834 in one scale, and that by which this Expunging resolution is to be carried in the other, and let truth and justice, in heaven above and on earth below, and liberty and patriotism, decide the preponderance.

What patriotic purpose is to be accomplished by this Expunging resolution? Is it to appease the wrath and to heal the wounded pride of the Chief Magistrate? If he be really the hero that his friends represent him, he must despise all mean condescension, all grovelling sycophancy, all self-degradation and self-abasement. He would reject, with scorn and contempt, as unworthy of his fame, your black scratches and your baby lines in the fair records of his country. Black lines! Black lines! Sir, I hope the Secretary of the Senate will preserve the pen with which he may inscribe them, and present it to that Senator of the majority whom he may select, as a proud trophy, to be transmitted to his descendants. And hereafter, when we shall lose the forms of our free institutions, all that now remain to us, some future American monarch, in gratitude to those by whose means he has been enabled, upon the ruins of civil liberty, to erect a throne, and to commemorate especially this Expunging resolution, may institute a new order of knighthood, and confer on it the appropriate name of "the Knights of the Black Lines."

But why should I detain the Senate, or needlessly waste my breath in fruitless exertions? The decree has gone forth. It is one of urgency, too. The deed is to be done —that foul deed which, like the blood, staining the hands of the guilty Macbeth, all ocean's waters will never wash out. Proceed, then, to the noble work which lies before you, and, like other skilful executioners, do it quickly. And when you have perpetrated it, go home to the people, and tell them what glorious honors you have achieved for our common country. Tell them that you have extinguished one of the brightest and purest lights that ever burned at the altar of civil liberty. Tell them that you have silenced one of the noblest batteries that ever thundered in defence of the Constitution, and bravely spiked the cannon. Tell them that, henceforward, no matter what daring or outrageous act any President may perform, you have forever hermetically sealed the mouth of the Senate. Tell them that he may fearlessly assume what powers he pleases, snatch from its lawful custody the public purse, command a military detachment to enter the halls of the Capitol, overawe Congress, trample down the Constitution, and raze every bulwark of freedom; but that the Senate must stand mute, in silent submission, and not dare to raise its opposing voice. Tell them that it must wait until a House of Representatives, humbled and subdued like itself, and a majority of it composed of the partisans of the President, shall prefer articles of impeachment. Tell them, finally, that you have restored the glorious doctrine of passive obedience and non-resistance. And, if the people do not pour out their indignation and imprecations, I have yet to learn the character of American freemen.

## ON THE SEMINOLE WAR

HOUSE OF REPRESENTATIVES, JANUARY 19, 1819

IF MY recollection does not deceive me, Bonaparte had passed the Rhine and the Alps, had conquered Italy, the Netherlands, Holland, Hanover, Lubec, and Hamburg, and extended his empire as far as Altona, on the side of Denmark. A few days' march would have carried him through Holstein, over the two Belts, through Funen, and into the island of Zealand. What, then, was the conduct of England? It was my lot to fall into conversation with an intelligent Englishman on this subject. "We knew (said he) that we were fighting for our existence. It was absolutely necessary that we should preserve the command of the seas. If the fleet of Denmark fell into the enemy's hands, combined with his other fleets, that command might be rendered doubtful. Denmark had only a nominal independence. She was, in truth, subject to his sway. We said to her, Give us your fleet; it will otherwise be taken possession of by your secret and our open enemy. We will preserve it and restore it to you whenever the danger shall be over. Denmark refused. Copenhagen was bombarded, and gallantly defended, but the fleet was seized." Everywhere the conduct of England was censured; and the name even of the negotiator who was employed by her, who was subsequently the minister near this government, was scarcely ever pronounced here without coupling with it an epithet indicating his participation in the disgraceful transaction. And yet we are going to sanction acts of violence,

committed by ourselves, which but too much resemble it! What an important difference, too, between the relative condition of England and of this country! She, perhaps, was struggling for her existence. She was combating, single-handed, the most enormous military power that the world has ever known. With whom were we contending? With a few half-starved, half-clothed, wretched Indians and fugitive slaves. And while carrying on this inglorious war, inglorious as regards the laurels or renown won in it, we violate neutral rights, which the government had solemnly pledged itself to respect, upon the principle of convenience, or upon the light presumption that, by possibility, a post might be taken by this miserable combination of Indians and slaves. . . .

I will not trespass much longer upon the time of the committee; but I trust I shall be indulged with some few reflections upon the danger of permitting the conduct on which it has been my painful duty to animadvert, to pass without the solemn expression of the disapprobation of this House. Recall to your recollection the free nations which have gone before us. Where are they now?

> "Gone glimmering through the dream of things that were,
> A schoolboy's tale, the wonder of an hour."

And how have they lost their liberties? If we could transport ourselves back to the ages when Greece and Rome flourished in their greatest prosperity, and, mingling in the throng, should ask a Grecian if he did not fear that some daring military chieftain, covered with glory, some Philip or Alexander, would one day overthrow the liberties of his country, the confident and indignant Grecian would exclaim, No! no! we have nothing to fear from our heroes;

our liberties will be eternal. If a Roman citizen had been asked if he did not fear that the conqueror of Gaul might establish a throne upon the ruins of public liberty, he would have instantly repelled the unjust insinuation. Yet Greece fell; Cæsar passed the Rubicon, and the patriotic arm even of Brutus could not preserve the liberties of his devoted country! The celebrated Madame de Staël, in her last and perhaps her best work, has said, that in the very year, almost the very month, when the president of the Directory declared that monarchy would never more show its frightful head in France, Bonaparte, with his grenadiers, entered the palace of St. Cloud, and, dispersing with the bayonet the deputies of the people deliberating on the affairs of the State, laid the foundation of that vast fabric of despotism which overshadowed all Europe. I hope not to be misunderstood; I am far from intimating that General Jackson cherishes any designs inimical to the liberties of the country. I believe his intentions to be pure and patriotic. I thank God that he would not, but I thank him still more that he could not if he would, overturn the liberties of the Republic. But precedents, if bad, are fraught with the most dangerous consequences. Man has been described, by some of those who have treated of his nature, as a bundle of habits. The definition is much truer when applied to governments. Precedents are their habits. There is one important difference between the formation of habits by an individual and by governments. He contracts only after frequent repetition. A single instance fixes the habit and determines the direction of governments. Against the alarming doctrine of unlimited discretion in our military commanders when applied even to prisoners of war, I must enter my protest. It begins upon them; it will end on us. I hope our happy

form of government is to be perpetual. But, if it is to be preserved, it must be by the practice of virtue, by justice, by moderation, by magnanimity, by greatness of soul, by keeping a watchful and steady eye on the Executive; and, above all, by holding to a strict accountability the military branch of the public force.

We are fighting a great moral battle for the benefit not only of our country, but of all mankind. The eyes of the whole world are in fixed attention upon us. One, and the larger portion of it, is gazing with contempt, with jealousy, and with envy; the other portion, with hope, with confidence, and with affection. Everywhere the black cloud of legitimacy is suspended over the world, save only one bright spot, which breaks out from the political hemisphere of the West, to enlighten and animate and gladden the human heart. Obscure that by the downfall of liberty here, and all mankind are enshrouded in a pall of universal darkness. To you, Mr. Chairman, belongs the high privilege of transmitting, unimpaired, to posterity the fair character and liberty of our country. Do you expect to execute this high trust by trampling, or suffering to be trampled down, law, justice, the Constitution, and the rights of the people? by exhibiting examples of inhumanity and cruelty and ambition? When the minions of despotism heard, in Europe, of the seizure of Pensacola, how did they chuckle, and chide the admirers of our institutions, tauntingly pointing to the demonstration of a spirit of injustice and aggrandizement made by our country, in the midst of an amicable negotiation! Behold, said they, the conduct of those who are constantly reproaching kings! You saw how those admirers were astounded and hung their heads. You saw, too, when that illustrious man, who presides over us, adopted

his pacific, moderate, and just course, how they once more lifted up their heads with exultation and delight beaming in their countenances. And you saw how those minions themselves were finally compelled to unite in the general praises bestowed upon our government. Beware how you forfeit this exalted character. Beware how you give a fatal sanction, in this infant period of our Republic, scarcely yet twoscore years old, to military insubordination. Remember that Greece had her Alexander, Rome her Cæsar, England her Cromwell, France her Bonaparte, and that if we would escape the rock on which they split we must avoid their errors.

How different has been the treatment of General Jackson and that modest, but heroic young man, a native of one of the smallest States in the Union, who achieved for his country, on Lake Erie, one of the most glorious victories of the late war. In a moment of passion he forgot himself and offered an act of violence which was repented of as soon as perpetrated. He was tried, and suffered the judgment to be pronounced by his peers. Public justice was thought not even then to be satisfied. The press and Congress took up the subject. My honorable friend from Virginia, Mr. Johnson, the faithful and consistent sentinel of the law and of the Constitution, disapproved in that instance, as he does in this, and moved an inquiry. The public mind remained agitated and unappeased until the recent atonement, so honorably made by the gallant commodore. And is there to be a distinction between the officers of the two branches of the public service? Are former services, however eminent, to preclude even inquiry into recent misconduct? Is there to be no limit, no prudential bounds to the national gratitude? I am not disposed to censure the President for not ordering

a court of inquiry, or a general court-martial. Perhaps, impelled by a sense of gratitude, he determined, by anticipation, to extend to the general that pardon which he had the undoubted right to grant after sentence. Let us not shrink from our duty. Let us assert our constitutional powers, and vindicate the instrument from military violation.

I hope gentlemen will deliberately survey the awful isthmus on which we stand. They may bear down all opposition; they may even vote the general the public thanks; they may carry him triumphantly through this House. But, if they do, in my humble judgment, it will be a triumph of the principle of insubordination, a triumph of the military over the civil authority, a triumph over the powers of this House, a triumph over the Constitution of the land. And I pray most devoutly to Heaven that it may not prove, in its ultimate effects and consequences, a triumph over the liberties of the people.

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## THE EMANCIPATION OF SOUTH AMERICA

HOUSE OF REPRESENTATIVES, MARCH 24, 1818

I RISE under feelings of deeper regret than I have ever experienced on any former occasion, inspired principally by the consideration that I find myself, on the proposition which I meant to submit, differing from many highly esteemed friends, in and out of this House, for whose judgment I entertained the greatest respect. A knowledge of this circumstance has induced me to pause; to subject my own convictions to the severest scrutiny, and to revolve the question over and over again. But all my reflections have

conducted me to the same clear result; and, much as I value those friends, great as my deference is for their opinions, I cannot hesitate, when reduced to the distressing alternative of conforming my judgment to theirs, or pursuing the deliberate and mature dictates of my own mind. I enjoy some consolation for the want of their co-operation, from the persuasion that, if I err on this occasion, I err on the side of the liberty and happiness of a large portion of the human family. Another, and, if possible, indeed a greater source of the regret to which I refer is the utter incompetency which I unfeignedly feel to do anything like adequate justice to the great cause of American independence and freedom, whose interests I wish to promote by my humble exertions in this instance. Exhausted and worn down as I am, by the fatigue, confinement, and incessant application incident to the arduous duties of the honorable station I hold, during a four months' session, I shall need all that kind indulgence which has been so often extended to me by the House.

I beg, in the first place, to correct misconceptions, if any exist, in regard to my opinions. I am averse to war with Spain, or with any power. I would give no just cause of war to any power—not to Spain herself. I have seen enough of war, and of its calamities, even when successful. No country on earth has more interest than this in cultivating peace and avoiding war, as long as it is possible honorably to avoid it. Gaining additional strength every day; our numbers doubling in periods of twenty-five years; with an income outstripping all our estimates, and so great, as, after a war in some respects disastrous, to furnish results which carry astonishment, if not dismay, into the bosom of States jealous of our rising importance; we have every

motive for the love of peace. I cannot, however, approve in all respects of the manner in which our negotiations with Spain have been conducted. If ever a favorable time existed for the demand, on the part of an injured nation, of indemnity for past wrongs from the aggressor, such is the present time. Impoverished and exhausted at home, by the wars which have desolated the Peninsula; with a foreign war, calling for infinitely more resources, in men and money, than she can possibly command; this is the auspicious period for insisting upon justice at her hands in a firm and decided tone. Time is precisely what Spain now wants. Yet what are we told by the President, in his message at the commencement of Congress? That Spain has procrastinated, and we acquiesced in her procrastination. And the Secretary of State, in a late communication with Mr. Onis, after ably vindicating all our rights, tells the Spanish Minister, with a good deal of sang-froid, that we had patiently waited thirteen years for a redress of our injuries, and that it required no great effort to wait longer. I would have abstained from thus exposing our intentions. Avoiding the use of the language of menace, I would have required, in temperate and decided terms, indemnity for all our wrongs; for the spoliations of our commerce; for the interruption to the right of depot at New Orleans, guaranteed by treaty; for the insults repeatedly offered to our flag; for the Indian hostilities, which she was bound to prevent; for belligerent use of her ports and territories by our enemy during the late war; and the instantaneous liberation of the free citizens of the United States, now imprisoned in her jails. Contemporaneously with that demand, without waiting for her final answer, and with a view to the favorable operation on her councils in regard to our own peculiar

interests, as well as in justice to the cause itself, I would recognize any established government in Spanish America. I would have left Spain to draw her own inferences from these proceedings as to the ultimate step which this country might adopt if she longer withheld justice from us. And if she persevered in her iniquity, after we had conducted the negotiation in the manner I have endeavored to describe, I would then take up and decide the solemn question of peace or war, with the advantage of all the light shed upon it, by subsequent events, and the probable conduct of Europe.

Spain has undoubtedly given us abundant and just cause for war. But it is not every cause of war that should lead to war. War is one of those dreadful scourges that so shakes the foundation of society, overturns or changes the character of government, interrupts or destroys the pursuits of private happiness, brings, in short, misery and wretchedness in so many forms, and at last is, in its issue, so doubtful and hazardous, that nothing but dire necessity can justify an appeal to arms. If we are to have war with Spain, I have, however, no hesitation in saying that no mode of bringing it about could be less fortunate than that of seizing, at this time, upon her adjoining province. There was a time, under certain circumstances, when we might have occupied East Florida with safety; had we then taken it, our posture in the negotiation with Spain would have been totally different from what it is. But we have permitted that time, not with my consent, to pass by unimproved. If we were now to seize upon Florida, after a great change in those circumstances, and after declaring our intention to acquiesce in the procrastination desired by Spain, in what light should we be viewed by foreign powers, particularly Great Britain? We have already been

accused of inordinate ambition, and of seeking to aggrandize ourselves by an extension, on all sides, of our limits. Should we not, by such an act of violence, give color to the accusation? No, Mr. Chairman, if we are to be involved in a war with Spain, let us have the credit of disinterestedness. Let us put her yet more in the wrong. Let us command the respect which is never withheld from those who act a noble and generous part. I hope to communicate to the committee the conviction which I so strongly feel, that the adoption of the amendment which I intend to propose would not hazard, in the slightest degree, the peace of the country. But if that peace is to be endangered, I would infinitely rather it should be for our exerting the right appertaining to every State, of acknowledging the independence of another State, than for the seizure of a province, which, sooner or later, we must acquire.

In contemplating the great struggle in which Spanish America is now engaged, our attention is fixed first by the immensity and character of the country which Spain seeks again to subjugate. Stretching on the Pacific Ocean from about the fortieth degree of north latitude to about the fifty-fifth degree of south latitude, and extending from the mouth of the Rio del Norte (exclusive of East Florida), around the Gulf of Mexico and along the South Atlantic to near Cape Horn, it is about five thousand miles in length, and in some places nearly three thousand in breadth. Within this vast region we behold the most sublime and interesting objects of creation, the richest mines of the precious metals, and the choicest productions of the earth. We behold there a spectacle still more interesting and sublime—the glorious spectacle of eighteen millions of people struggling to burst their chains and to be free. When we

take a little nearer and more detailed view we perceive that nature has, as it were, ordained that this people and this country shall ultimately constitute several different nations. Leaving the United States on the north, we come to New Spain or the viceroyalty of Mexico on the south; passing by Guatemala, we reach the viceroyalty of New Granada, the late captain-generalship of Venezuela, and Guiana, lying on the east side of the Andes. Stepping over the Brazils, we arrive at the united provinces of La Plata, and crossing the Andes we find Chile on their west side, and, further north, the viceroyalty of Lima, or Peru. Each of these several parts is sufficient in itself in point of limits to constitute a powerful State; and, in point of population, that which has the smallest contains enough to make it respectable. Throughout all the extent of that great portion of the world which I have attempted thus hastily to describe, the spirit of revolt against the dominion of Spain has manifested itself. The revolution has been attended with various degrees of success in the several parts of Spanish America. In some it has been already crowned, as I shall endeavor to show, with complete success, and in all I am persuaded that independence has struck such deep root, that the power of Spain can never eradicate it. What are the causes of this great movement?

Three hundred years ago, upon the ruins of the thrones of Montezuma and the Incas of Peru, Spain erected the most stupendous system of colonial despotism that the world has ever seen—the most vigorous, the most exclusive. The great principle and object of this system have been to render one of the largest portions of the world exclusively subservient, in all its faculties, to the interests of an inconsiderable spot in Europe. To effectuate this aim of her policy,

she locked up Spanish America from all the rest of the world, and prohibited, under the severest penalties, any foreigner from entering any part of it. To keep the natives themselves ignorant of each other, and of the strength and resources of the several parts of her American possessions, she next prohibited the inhabitants of one viceroyalty or government from visiting those of another; so that the inhabitants of Mexico, for example, were not allowed to enter the viceroyalty of New Granada. The agriculture of those vast regions was so regulated and restrained as to prevent all collision with the agriculture of the Peninsula. Where nature, by the character and composition of the soil, has commanded, the abominable system of Spain has forbidden, the growth of certain articles. Thus the olive and the vine, to which Spanish America is so well adapted, are prohibited, wherever their culture can interfere with the olive and the vine of the Peninsula. The commerce of the country, in the direction and objects of the exports and imports, is also subjected to the narrow and selfish views of Spain, and fettered by the odious spirit of monopoly, existing in Cadiz. She has sought, by scattering discord among the several castes of her American population, and by a debasing course of education, to perpetuate her oppression. Whatever concerns public law, or the science of government, all writings upon political economy, or that tend to give vigor and freedom and expansion to the intellect, are prohibited. Gentlemen would be astonished by the long list of distinguished authors, whom she proscribes, to be found in Depons and other works. A main feature in her policy is that which constantly elevates the European and depresses the American character. Out of upward of seven hundred and fifty viceroys and captains-general, whom she

has appointed since the conquest of America, about eighteen only have been from the body of her American population. On all occasions, she seeks to raise and promote her European subjects, and to degrade and humiliate the Creoles. Wherever in America her sway extends, everything seems to pine and wither beneath its baneful influence. The richest regions of the earth; man, his happiness and his education, all the fine faculties of his soul, are regulated and modified and molded to suit the execrable purposes of an inexorable despotism.

Such is the brief and imperfect picture of the state of things in Spanish America, in 1808, when the famous transactions of Bayonne occurred. The King of Spain and the Indies (for Spanish America has always constituted an integral part of the Spanish empire) abdicated his throne and became a voluntary captive. Even at this day one does not know whether he should most condemn the baseness and perfidy of the one party, or despise the meanness and imbecility of the other. If the obligation of obedience and allegiance existed on the part of the colonies to the King of Spain, it was founded on the duty of protection which he owed them. By disqualifying himself for the performance of this duty, they became released from that obligation. The monarchy was dissolved, and each integral part had a right to seek its own happiness by the institution of any new government adapted to its wants. Joseph Bonaparte, the successor *de facto* of Ferdinand, recognized this right on the part of the colonies, and recommended them to establish their independence. Thus, upon the ground of strict right, upon the footing of a mere legal question, governed by forensic rules, the colonies, being absolved by the acts of the parent country from the duty of subjection

to it, had an indisputable right to set up for themselves. But I take a broader and a bolder position. I maintain that an oppressed people are authorized, whenever they can, to rise and break their fetters. This was the great principle of the English revolution. It was the great principle of our own. Vattel, if authority were wanting, expressly supports this right. We must pass sentence of condemnation upon the founders of our liberty, say that they were rebels, traitors, and that we are at this moment legislating without competent powers, before we can condemn the cause of Spanish America. Our revolution was mainly directed against the mere theory of tyranny. We had suffered but comparatively little; we had, in some respects, been kindly treated; but our intrepid and intelligent fathers saw, in the usurpation of the power to levy an inconsiderable tax, the long train of oppressive acts that were to follow. They rose; they breasted the storm; they achieved our freedom. Spanish America for centuries has been doomed to the practical effects of an odious tyranny. If we were justified, she is more than justified.

I am no propagandist. I would not seek to force upon other nations our principles and our liberty, if they do not want them. I would not disturb the repose even of a detestable despotism. But, if an abused and oppressed people will their freedom; if they seek to establish it; we have a right, as a sovereign power, to notice the fact and to act as circumstances and our interest require. I will say, in the language of the venerated Father of my Country, "born in a land of liberty, my anxious recollections, my sympathetic feelings, and my best wishes, are irresistibly excited, whensoever, in any country, I see an oppressed nation unfurl the banners of freedom." Whenever I think of Spanish

America, the image irresistibly forces itself upon my mind, of an elder brother, whose education has been neglected, whose person has been abused and maltreated, and who has been disinherited by the unkindness of an unnatural parent. And, when I contemplate the glorious struggle which that country is now making, I think I behold that brother rising, by the power and energy of his fine native genius, to the manly rank which nature, and nature's God, intended for him. . . .

In the establishment of the independence of Spanish America, the United States have the deepest interest. I have no hesitation in asserting my firm belief that there is no question in the foreign policy of this country, which has ever arisen, or which I can conceive as ever occurring, in the decision of which we have had or can have so much at stake. This interest concerns our politics, our commerce, our navigation. There cannot be a doubt that Spanish America, once independent, whatever may be the form of government established in its several parts, these governments will be animated by an American feeling, and guided by an American policy. They will obey the laws of the system of the new world, of which they will compose a part, in contradistinction to that of Europe. Without the influence of that vortex in Europe, the balance of power between its several parts, the preservation of which has so often drenched Europe in blood, America is sufficiently remote to contemplate the new wars which are to afflict that quarter of the globe, as a calm if not a cold and indifferent spectator. In relation to those wars, the several parts of America will generally stand neutral. And as, during the period when they rage, it will be important that a liberal system of neutrality should be adopted and observed, all

America will be interested in maintaining and enforcing such a system. The independence of Spanish America, then, is an interest of primary consideration. Next to that, and highly important in itself, is the consideration of the nature of their governments. That is a question, however, for themselves. They will, no doubt, adopt those kinds of governments which are best suited to their condition, best calculated for their happiness. Anxious as I am that they should be free governments, we have no right to prescribe for them. They are, and ought to be, the sole judges for themselves. I am strongly inclined to believe that they will in most, if not all parts of their country, establish free governments. We are their great example. Of us they constantly speak as of brothers, having a similar origin. They adopt our principles, copy our institutions, and, in many instances, employ the very language and sentiments of our Revolutionary papers:

"Having then been thus impelled by the Spaniards and their king, we have calculated all the consequences, and have constituted ourselves independent, prepared to exercise the right of nature to defend ourselves against the ravages of tyranny, at the risk of our honor, our lives, and fortune. We have sworn to the only King we acknowledge, the Supreme Judge of the world, that we will not abandon the cause of justice; that we will not suffer the country which he has given us, to be buried in ruins, and inundated with blood, by the hands of the executioner," etc.

But it is sometimes said that they are too ignorant and too superstitious to admit of the existence of free government. This charge of ignorance is often urged by persons themselves actually ignorant of the real condition of that people. I deny the alleged fact of ignorance; I deny the

inference from that fact, if it were true, that they want capacity for free government. And I refuse assent to the further conclusion if the fact were true, and the inference just, that we are to be indifferent to their fate. All the writers of the most established authority, Depons, Humboldt, and others, concur in assigning to the people of Spanish America great quickness, genius, and particular aptitude for the acquisition of the exact sciences, and others which they have been allowed to cultivate. In astronomy, geology, mineralogy, chemistry, botany, and so forth, they are allowed to make distinguished proficiency. They justly boast of their Abzate, Velasquez, and Gama, and other illustrious contributors to science. They have nine universities, and in the City of Mexico, it is affirmed by Humboldt, there are more solid scientific establishments than in any city even of North America. I would refer to the message of the supreme director of La Plata, which I shall hereafter have occasion to use for another purpose, as a model of fine composition of a State paper, challenging a comparison with any, the most celebrated, that ever issued from the pens of Jefferson or Madison. Gentlemen will egregiously err, if they form their opinions of the present condition of Spanish America from what it was under the debasing system of Spain. The eight years' revolution in which it has been engaged has already produced a powerful effect. Education has been attended to, and genius developed.

"As soon as the project of the revolution arose on the shores of La Plata, genius and talent exhibited their influence; the capacity of the people became manifest, and the means of acquiring knowledge were soon made the favorite pursuit of the youth. As far as the wants or the inevitable interruption of affairs allowed, everything

has been done to disseminate useful information. The liberty of the press has indeed met with some occasional checks; but in Buenos Ayres alone, as many periodical works weekly issue from the press as in Spain and Portugal put together."

It is not therefore true, that the imputed ignorance exists; but, if it do, I repeat, I dispute the inference. It is the doctrine of thrones, that man is too ignorant to govern himself. Their partisans assert his incapacity, in reference to all nations; if they cannot command universal assent to the proposition, it is then demanded to particular nations; and our pride and our presumption too often make converts of us. I contend, that it is to arraign the dispositions of Providence himself, to suppose that he has created beings incapable of governing themselves, and to be trampled on by kings. Self-government is the natural government of man, and for proof I refer to the aborigines of our own land. Were I to speculate in hypotheses unfavorable to human liberty, my speculations should be founded rather upon the vices, refinements, or density of population. Crowded together in compact masses, even if they were philosophers, the contagion of the passions is communicated and caught, and the effect too often, I admit, is the overthrow of liberty. Dispersed over such an immense space as that on which the people of Spanish America are spread, their physical, and I believe also their moral condition, both favor their liberty.

With regard to their superstition, they worship the same God with us. Their prayers are offered up in their temples to the same Redeemer whose intercession we expect to save us. Nor is there anything in the Catholic religion unfavorable to freedom. All religions united with government are

more or less inimical to liberty. All, separated from government, are compatible with liberty. If the people of Spanish America have not already gone as far in religious toleration as we have, the difference in their condition from ours should not be forgotten. Everything is progressive; and, in time, I hope to see them imitating in this respect our example. But grant that the people of Spanish America are ignorant and incompetent for free government, to whom is that ignorance to be ascribed? Is it not to the execrable system of Spain, which she seeks again to establish and to perpetuate? So far from chilling our hearts, it ought to increase our solicitude for our unfortunate brethren. It ought to animate us to desire the redemption of the minds and the bodies of unborn millions from the brutifying effects of a system whose tendency is to stifle the faculties of the soul and to degrade man to the level of beasts. I would invoke the spirits of our departed fathers. Was it for yourselves only that you nobly fought? No, no! It was the chains that were forging for your posterity that made you fly to arms, and, scattering the elements of these chains to the winds, you transmitted to us the rich inheritance of liberty.

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## "THE AMERICAN SYSTEM" AND THE HOME MARKET

DELIVERED IN THE UNITED STATES SENATE, FEBRUARY 2, 1832—GIVEN BY BENTON AS AN UNABRIDGED REPORT

EIGHT years ago it was my painful duty to present to the House of Congress an unexaggerated picture of the general distress pervading the whole land. We must all yet remember some of its frightful features. We all know that the people were then oppressed and borne down

by an enormous load of debt; that the value of property was at the lowest point of depression; that ruinous sales and sacrifices were everywhere made of real estate; that stop laws and relief laws and paper money were adopted to save the people from impending destruction; that a deficit in the public revenue existed, which compelled the government to seize upon, and divert from its legitimate object, the appropriation to the sinking fund, to redeem the national debt; and that our commerce and navigation were threatened with a complete paralysis. In short, sir, if I were to select any term of seven years since the adoption of the present Constitution, which exhibited a scene of the most widespread dismay and desolation, it would be exactly that term of seven years which immediately preceded the establishment of the tariff of 1824.

I have now to perform the more pleasing task of exhibiting an imperfect sketch of the existing state of the unparalleled prosperity of the country. On a general survey, we behold cultivation extended, the arts flourishing, the face of the country improved, our people fully and profitably employed, and the public countenance exhibiting tranquillity, contentment, and happiness. And, if we descend into particulars, we have the agreeable contemplation of a people out of debt; land rising slowly in value, but in a secure and salutary degree; a ready though not extravagant market for all the surplus productions of our industry; innumerable flocks and herds browsing and gambolling on ten thousand hills and plains, covered with rich and verdant grasses; our cities expanded, and whole villages springing up, as it were, by enchantment; our exports and imports increased and increasing; our tonnage, foreign and coastwise, swelling and fully occupied; the rivers

of our interior animated by the perpetual thunder and lightning of countless steamboats; the currency sound and abundant; the public debt of two wars nearly redeemed; and, to crown all, the public treasury overflowing, embarrassing Congress, not to find subjects of taxation, but to select the objects which shall be liberated from the impost. If the term of seven years were to be selected of the greatest prosperity which this people have enjoyed since the establishment of their present Constitution, it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824.

This transformation of the condition of the country from gloom and distress to brightness and prosperity has been mainly the work of American legislation, fostering American industry, instead of allowing it to be controlled by foreign legislation, cherishing foreign industry. The foes of the American system, in 1824, with great boldness and confidence, predicted: First, The ruin of the public revenue, and the creation of a necessity to resort to direct taxation. The gentleman from South Carolina—Mr. Hayne—I believe, thought that the tariff of 1824 would operate a reduction of revenue to the large amount of eight millions of dollars. Second, The destruction of our navigation. Third, The desolation of commercial cities. And fourth, The augmentation of the price of objects of consumption, and further decline in that of the articles of our exports. Every prediction which they made has failed—utterly failed. Instead of the ruin of the public revenue, with which they then sought to deter us from the adoption of the American system, we are now threatened with its subversion, by the vast amount of the public revenue produced by that system.

Every branch of our navigation has increased. As to the desolation of our cities, let us take, as an example, the condition of the largest and most commercial of all of them, the great northern capital. I have in my hands the assessed value of real estate in the city of New York, from 1817 to 1831. This value is canvassed, contested, scrutinized, and adjudged, by the proper sworn authorities. It is, therefore, entitled to full credence. During the first term, commencing with 1817, and ending in the year of the passage of the tariff of 1824, the amount of the value of real estate was, the first year, $57,799,435, and, after various fluctuations in the intermediate period, it settled down at $52,019,730, exhibiting a decrease, in seven years, of $5,779,705. During the year 1825, after the passage of the tariff, it rose, and, gradually ascending throughout the whole of the latter period of seven years, it finally, in 1831, reached the astonishing height of $95,716,485! Now, if it be said that this rapid growth of the city of New York was the effect of foreign commerce, then it was not correctly predicted, in 1824, that the tariff would destroy foreign commerce and desolate our commercial cities. If, on the contrary, it be the effect of internal trade, then internal trade cannot be justly chargeable with the evil consequences imputed to it. The truth is, it is the joint effect of both principles, the domestic industry nourishing the foreign trade, and the foreign commerce, in turn, nourishing the domestic industry. Nowhere more than in New York is the combination of both principles so completely developed. In the progress of my argument I will consider the effect upon the price of commodities produced by the American system, and show that the very reverse of the prediction of its foes, in 1824, has actually happened.

While thus we behold the entire failure of all that was foretold against the system, it is a subject of just felicitation to its friends, that all their anticipations of its benefits have been fulfilled, or are in progress of fulfilment. The honorable gentleman from South Carolina has made allusion to a speech made by me, in 1824, in the other House, in support of the tariff, and to which, otherwise, I should not have particularly referred. But I would ask any one, who could now command the courage to peruse that long production, what principle there laid down is not true? what prediction then made has been falsified by practical experience?

It is now proposed to abolish the system to which we owe so much of the public prosperity, and it is urged that the arrival of the period of the redemption of the public debt has been confidently looked to as presenting a suitable occasion to rid the country of the evils with which the system is alleged to be fraught. Not an inattentive observer of passing events, I have been aware that, among those who were most eagerly pressing the payment of the public debt, and, upon that ground, were opposing appropriations to other great interests, there were some who cared less about the debt than the accomplishment of other objects. But the people of the United States have not coupled the payment of their public debt with the destruction of the protection of their industry against foreign laws and foreign industry. They have been accustomed to regard the extinction of the public debt as relief from a burden, and not as the infliction of a curse. If it is to be attended or followed by the subversion of the American system, and the exposure of our establishments and our productions to the unguarded consequences of the selfish policy of for-

eign powers, the payment of the public debt will be the bitterest of curses. Its fruit will be like the fruit

> "Of that forbidden tree, whose mortal taste
> Brought death into the world, and all our woe
> With loss of Eden."

If the system of protection be founded on principles erroneous in theory, pernicious in practice—above all, if it be unconstitutional, as is alleged, it ought to be forthwith abolished, and not a vestige of it suffered to remain. But, before we sanction this sweeping denunciation, let us look a little at this system, its magnitude, its ramifications, its duration, and the high authorities which have sustained it. We shall see that its foes will have accomplished comparatively nothing, after having achieved their present aim of breaking down our iron-foundries, our woollen, cotton, and hemp manufactories, and our sugar plantations. The destruction of these would undoubtedly lead to the sacrifice of immense capital, the ruin of many thousands of our fellow-citizens, and incalculable loss to the whole community. But their prostration would not disfigure, nor produce greater effect upon the whole system of protection, in all its branches, than the destruction of the beautiful domes upon the Capitol would occasion to the magnificent edifice which they surmount. Why, sir, there is scarcely an interest, scarcely a vocation in society, which is not embraced by the beneficence of this system.

It comprehends our coasting tonnage and trade, from which all foreign tonnage is absolutely excluded.

It includes all our foreign tonnage, with the inconsiderable exception made by treaties of reciprocity with a few foreign powers.

It embraces our fisheries and all our hardy and enterprising fishermen.

It extends to all lower Louisiana, the delta of which might as well be submerged again in the Gulf of Mexico, from which it has been a gradual conquest, as now to be deprived of the protecting duty upon its great staple.

It affects the cotton planter himself, and the tobacco planter, both of whom enjoy protection.

Such are some of the items of this vast system of protection, which it is now proposed to abandon. We might well pause and contemplate, if human imagination could conceive the extent of mischief and ruin from its total overthrow, before we proceed to the work of destruction. Its duration is worthy, also, of serious consideration. Not to go behind the Constitution, its date is coeval with that instrument. It began on the ever-memorable fourth day of July—the fourth day of July, 1789. The second act which stands recorded in the statute book, bearing the illustrious signature of George Washington, laid the cornerstone of the whole system. That there might be no mistake about the matter, it was then solemnly proclaimed to the American people and to the world, that it was necessary, for "the encouragement and protection of manufactures," that duties should be laid. It is in vain to urge the small amount of the measure of protection then extended. The great principle was then established by the fathers of the Constitution, with the Father of his Country at their head. And it cannot now be questioned, that, if the government had not then been new and the subject untried, a greater measure of protection would have been applied, if it had been supposed necessary. Shortly after, the master minds of Jefferson and Hamilton were brought to act on

this interesting subject. Taking views of it appertaining to the departments of Foreign Affairs and of the Treasury, which they respectively filled, they presented, severally, reports which yet remain monuments of their profound wisdom, and came to the same conclusion of protection to American industry. Mr. Jefferson argued that foreign restrictions, foreign prohibitions, and foreign high duties, ought to be met, at home, by American restrictions, American prohibitions, and American high duties. Mr. Hamilton, surveying the entire ground, and looking at the inherent nature of the subject, treated it with an ability which, if ever equalled, has not been surpassed, and earnestly recommended protection.

The subject of the American system was again brought up in 1820, by the bill reported by the Chairman of the Committee on Manufactures, now a member of the bench of the Supreme Court of the United States, and the principle was successfully maintained by the representatives of the people; but the bill which they passed was defeated in the Senate. It was revived in 1824, the whole ground carefully and deliberately explored, and the bill then introduced, receiving all the sanctions of the Constitution, became the law of the land. An amendment of the system was proposed in 1828, to the history of which I refer with no agreeable recollections. The bill of that year, in some of its provisions, was framed on principles directly adverse to the declared wishes of the friends of the policy of protection. I have heard (without vouching for the fact) that it was so framed, upon the advice of a prominent citizen, now abroad, with the view of ultimately defeating the bill, and with assurances that, being altogether unacceptable to the friends of the American system, the bill would be lost. Be

that as it may, the most exceptional features of the bill were stamped upon it, against the earnest remonstrances of the friends of the system, by the votes of Southern members, upon a principle, I think, as unsound in legislation as it is reprehensible in ethics. The bill was passed, notwithstanding, it having been deemed better to take the bad along with the good which it contained than reject it altogether. Subsequent legislation has corrected very much the error then perpetrated, but still that measure is vehemently denounced by gentlemen who contributed to make it what it was.

Thus, sir, has this great system of protection been gradually built stone upon stone, and step by step, from the fourth of July, 1789, down to the present period. In every stage of its progress it has received the deliberate sanction of Congress. A vast majority of the people of the United States has approved, and continues to approve it. Every Chief Magistrate of the United States, from Washington to the present, in some form or other, has given to it the authority of his name; and, however the opinions of the existing President are interpreted south of Mason and Dixon's Line, on the north they are, at least, understood to favor the establishment of a judicious tariff.

The question, therefore, which we are now called upon to determine is not whether we shall establish a new and doubtful system of policy, just proposed, and for the first time presented to our consideration, but whether we shall break down and destroy a long-established system, patiently and carefully built up, and sanctioned, during a series of years, again and again by the nation and its highest and most revered authorities. And are we not bound deliberately to consider whether we can proceed to this work of destruction without a violation of the public faith? The

people of the United States have justly supposed that the policy of protecting their industry against foreign legislation and foreign industry was fully settled, not by a single act, but by repeated and deliberate acts of government performed at distant and frequent intervals. In full confidence that the policy was firmly and unchangeably fixed, thousands upon thousands have invested their capital, purchased a vast amount of real and other estate, made permanent establishments, and accommodated their industry. Can we expose to utter and irretrievable ruin this countless multitude without justly incurring the reproach of violating the national faith?

I shall not discuss the constitutional question. Without meaning any disrespect to those who raise it, if it be debatable, it has been sufficiently debated. The gentleman from South Carolina suffered it to fall unnoticed from his budget; and it was not until after he had closed his speech and resumed his seat that it occurred to him that he had forgotten it, when he again addressed the Senate, and, by a sort of protestation against any conclusion from his silence, put forward the objection. The recent Free Trade Convention at Philadelphia, it is well known, were divided on the question; and although the topic is noticed in their address to the public, they do not avow their own belief that the American system is unconstitutional, but represent that such is the opinion of respectable portions of the American people. Another address to the people of the United States, from a high source, during the past year, treating this subject, does not assert the opinion of the distinguished author, but states that of others to be that it is unconstitutional. From which I infer that he himself did not believe it unconstitutional.

Here the Vice-President (Mr. Calhoun) interposed, and remarked that if the Senator from Kentucky alluded to him, he must say that his opinion was that the measure was unconstitutional.

When, sir—said Mr. Clay—I contended with you, side by side, and with perhaps less zeal than you exhibited, in 1816, I did not understand you then to consider the policy forbidden by the Constitution.

The Vice-President again interposed, and said that the constitutional question was not debated at that time, and that he had never expressed an opinion contrary to that now intimated.

I give way with pleasure—said Mr. Clay—to these explanations, which I hope will always be made when I say anything bearing on the individual opinions of the Chair. I know the delicacy of the position, and sympathize with the incumbent, whoever he may be. It is true, the question was not debated in 1816; and why not? Because it was not debatable; it was then believed not fairly to arise. It never has been made as a distinct, substantial, and leading point of objection. It never was made until the discussion of the tariff of 1824, when it was rather hinted at, as against the spirit of the Constitution, than formally announced as being contrary to the provisions of that instrument. What was not dreamed of before, or in 1816, and scarcely thought of in 1824, is now made by excited imaginations to assume the imposing form of a serious constitutional barrier.

And now, Mr. President, I have to make a few observations on a delicate subject, which I approach with all the respect that is due to its serious and grave nature. They

have not, indeed, been rendered necessary by the speech of the gentleman from South Carolina, whose forbearance to notice the topic was commendable, as his argument throughout was characterized by an ability and dignity worthy of him and of the Senate. The gentleman made one declaration which might possibly be misinterpreted, and I submit to him whether an explanation of it be not proper. The declaration, as reported in his printed speech, is: "The instinct of self-interest might have taught us an easier way of relieving ourselves from this oppression. It wanted but the will to have supplied ourselves with every article embraced in the protective system, free of duty, without any other participation on our part than a simple consent to receive them."

Here Mr. Hayne rose, and remarked that the passages which immediately preceded and followed the paragraph cited, he thought, plainly indicated his meaning, which related to evasions of the system by illicit introduction of goods, which they were not disposed to countenance in South Carolina.

I am happy to hear this explanation. But, sir, it is impossible to conceal from our view the facts that there is great excitement in South Carolina; that the protective system is openly and violently denounced in popular meetings; and that the Legislature itself has declared its purpose of resorting to counteracting measures—a suspension of which has only been submitted to for the purpose of allowing Congress time to retrace its steps. With respect to this Union, Mr. President, the truth cannot be too generally proclaimed nor too strongly inculcated, that it is necessary to the whole and to all the parts—necessary to those parts, indeed, in different degrees, but vitally necessary to each;

and that threats to disturb or dissolve it, coming from any of the parts, would be quite as indiscreet and improper as would be threats from the residue to exclude those parts from the pale of its benefits. The great principle which lies at the foundation of all free government is that the majority must govern; from which there is or can be no appeal but to the sword. That majority ought to govern wisely, equitably, moderately, and constitutionally, but govern it must, subject only to that terrible appeal. If ever one, or several States, being a minority, can, by menacing a dissolution of the Union, succeed in forcing an abandonment of great measures deemed essential to the interests and prosperity of the whole, the Union from that moment is practically gone. It may linger on in form and name, but its vital spirit has fled forever! Entertaining these deliberate opinions, I would entreat the patriotic people of South Carolina—the land of Marion, Sumter, and Pickens—of Rutledge, Laurens, the Pinckneys, and Lowndes—of living and present names, which I would mention if they were not living or present—to pause, solemnly pause! and contemplate the frightful precipice which lies directly before them. The retreat may be painful and mortifying to their gallantry and pride, but it is to retreat to the Union, to safety, and to those brethren with whom, or with whose ancestors, they, or their ancestors, have won on fields of glory imperishable renown. To advance is to rush on certain and inevitable disgrace and destruction.

We have been told of deserted castles, of uninhabited halls, and of mansions, once the seats of opulence and hospitality, now abandoned and moldering in ruins. I never had the honor of being in South Carolina; but I have heard and read of the stories of its chivalry, and of its generous

and open-hearted liberality. I have heard, too, of the struggles for power between the lower and upper country. The same causes which existed in Virginia, with which I have been acquainted, I presume, have had their influence in Carolina. In whose hands now are the once proud seats of Westover, Curles, Maycocks, Shirley, and others, on James River, and in lower Virginia? Under the operation of laws abolishing the principle of primogeniture, and providing the equitable rule of an equal distribution of estates among those in equal degree of consanguinity, they have passed into other and stranger hands. Some of the descendants of illustrious families have gone to the far West, while others, lingering behind, have contrasted their present condition with that of their venerated ancestors. They behold themselves excluded from their fathers' houses, now in the hands of those who were once their fathers' overseers, or sinking into decay; their imaginations paint ancient renown, the fading honors of their name, glories gone by; too poor to live, too proud to work, too high-minded and honorable to resort to ignoble means of acquisition, brave, daring, chivalrous, what can be the cause of their present unhappy state? The "accursed tariff" presents itself to their excited imaginations, and they blindly rush into the ranks of those who, unfurling the banner of nullification, would place a State upon its sovereignty!

The danger to our Union does not lie on the side of persistence in the American system, but on that of its abandonment. If, as I have supposed and believe, the inhabitants of all north and east of the James River, and all west of the mountains, including Louisiana, are deeply interested in the preservation of that system, would they be reconciled to its overthrow? Can it be expected that two-thirds, if

not three-fourths, of the people of the United States would consent to the destruction of a policy believed to be indispensably necessary to their prosperity? When, too, this sacrifice is made at the instance of a single interest which they verily believe will not be promoted by it? In estimating the degree of peril which may be incident to two opposite courses of human policy, the statesman would be shortsighted who should content himself with viewing only the evils, real or imaginary, which belong to that course which is in practical operation. He should lift himself up to the contemplation of those greater and more certain dangers which might inevitably attend the adoption of the alternative course. What would be the condition of this Union, if Pennsylvania and New York, those mammoth members of our Confederacy, were firmly persuaded that their industry was paralyzed and their prosperity blighted by the enforcement of the British colonial system, under the delusive name of free trade? They are now tranquil and happy and contented, conscious of their welfare, and feeling a salutary and rapid circulation of the products of home manufactures and home industry throughout all their great arteries. But let that be checked, let them feel that a foreign system is to predominate, and the sources of their subsistence and comfort dried up; let New England and the West and the Middle States all feel that they too are the victims of a mistaken policy, and let these vast portions of our country despair of any favorable change, and then, indeed, might we tremble for the continuance and safety of this Union!

## IN FAVOR OF A PATERNAL POLICY OF INTERNAL IMPROVEMENTS

HOUSE OF REPRESENTATIVES, JANUARY 16, 1824, ON THE CUMBERLAND ROAD

IT IS said by the President that the power to regulate commerce merely authorizes the laying of imposts and duties. But Congress has no power to lay imposts and duties on the trade among the several States. The grant must mean, therefore, something else. What is it? The power to regulate commerce among the several States, if it has any meaning, implies authority to foster it, to promote it, to bestow upon it facilities similar to those which have been conceded to our foreign trade. It cannot mean only an empty authority to adopt regulations, without the capacity to give practical effect to them. All the powers of this government should be interpreted in reference to its first, its best, its greatest object, the union of these States. And is not that union best invigorated by an intimate social and commercial connection between all the parts of the Confederacy? Can that be accomplished, that is, can the federative objects of this government be attained but by the application of federative resources?

Of all the powers bestowed on this government, I think none is more clearly vested than that to regulate the distribution of the intelligence, private and official, of the country; to regulate the distribution of its commerce; and to regulate the distribution of the physical force of the Union. In the execution of the high and solemn trust which these beneficial powers imply, we must look to the great ends which the framers of our admirable Constitution

had in view. We must reject as wholly incompatible with their enlightened and beneficent intentions that construction of these powers which would resuscitate all the debility and inefficiency of the ancient Confederacy. In the vicissitudes of human affairs who can foresee all the possible cases in which it may be necessary to apply the public force, within or without the Union? This government is charged with the use of it to repel invasions, to suppress insurrections, to enforce the laws of the Union; in short for all the unknown and undefinable purposes of war, foreign or intestine, wherever and however it may rage. During its existence may not government, for its effectual prosecution, order a road to be made, or a canal to be cut, to relieve, for example, an exposed point of the Union? If, when the emergency comes, there is a power to provide for it, that power must exist in the Constitution, and not in the emergency. A wise, precautionary, and parental policy, anticipating danger, will provide beforehand for the hour of need. Roads and canals are in the nature of fortifications, since, if not the deposits of military resources, they enable you to bring into rapid action the military resources of the country, whatever they may be. They are better than any fortifications, because they serve the double purposes of peace and war. They dispense, in a great degree, with fortifications, since they have all the effect of that concentration at which fortifications aim. I appeal from the precepts of the President to the practice of the President. While he denies to Congress the power in question, he does not scruple, upon his sole authority, as numerous instances in the statute book will testify, to order at pleasure the opening of roads by the military, and then come here to ask us to pay for them. . . .

But, Mr. Chairman, if there be any part of this Union more likely than all others to be benefited by the adoption of the gentleman's principle, regulating the public expenditure, it is the West. There is a perpetual drain from that embarrassed and highly distressed portion of our country, of its circulating medium to the East. There, but few and inconsiderable expenditures of the public money take place. There we have none of those public works, no magnificent edifices, forts, armories, arsenals, dock-yards, etc., which more or less are to be found in every Atlantic State. In at least seven States beyond the Alleghany, not one solitary public work of this government is to be found. If, by one of those awful and terrible dispensations of Providence, which sometimes occur, this government should be unhappily annihilated, everywhere on the seaboard traces of its former existence would be found, while we should not have, in the West, a single monument remaining on which to pour out our affections and our regrets. Yet, sir, we do not complain. No portion of your population is more loyal to the Union than the hardy freemen of the West. Nothing can weaken or eradicate their ardent desire for its lasting preservation. None is more prompt to vindicate the interests and rights of the nation from all foreign aggression. Need I remind you of the glorious scenes in which they participated, during the late war—a war in which they had no peculiar or direct interest, waged for no commerce, no seamen of theirs. But it was enough for them that it was a war demanded by the character and the honor of the nation. They did not stop to calculate its cost of blood, or of treasure. They flew to arms; they rushed down the valley of the Mississippi, with all the impetuosity of that noble river. They sought the enemy. They found him at the beach.

They fought; they bled; they covered themselves and their country with immortal glory. They enthusiastically shared in all the transports occasioned by our victories, whether won on the ocean or on the land. They felt, with the keenest distress, whatever disaster befell us. No, sir, I repeat it, neglect, injury itself, cannot alienate the affections of the West from this government. They cling to it, as to their best, their greatest, their last hope. You may impoverish them, reduce them to ruin, by the mistakes of your policy, yet you cannot drive them from you. They do not complain of the expenditure of the public money, where the public exigencies require its disbursement. But, I put it to your candor, if you ought not, by a generous and national policy, to mitigate, if not prevent, the evils resulting from the perpetual transfer of the circulating medium from the West to the East. One million and a half of dollars annually is transferred for the public lands alone, and almost every dollar goes, like him who goes to death—to a bourne from which no traveller returns. In ten years, it will amount to fifteen millions; in twenty to—but I will not pursue the appalling results of arithmetic. Gentlemen who believe that these vast sums are supplied by emigrants from the East labor under great error. There was a time when the tide of emigration from the East bore along with it the means to effect the purchase of the public domain. But that tide has, in a great measure, now stopped. And as population advances further and further west, it will entirely cease. The greatest migrating States in the Union, at this time, are Kentucky first, Ohio next, and Tennessee. The emigrants from those States carry with them to the States and Territories lying beyond them, the circulating medium, which, being invested in the

purchase of the public land, is transmitted to the points where the wants of government require it. If this debilitating and exhausting process were inevitable, it must be borne with manly fortitude. But we think that a fit exertion of the powers of this government would mitigate the evil. We believe that the government incontestably possesses the constitutional power to execute such internal improvements as are called for by the good of the whole. And we appeal to your equity, to your parental regard, to your enlightened policy, to perform the high and beneficial trust thus sacredly reposed. I am sensible of the delicacy of the topic to which I have reluctantly adverted, in consequence of the observations of the honorable gentleman from Virginia. And I hope there will be no misconception of my motives in dwelling upon it. A wise and considerate government should anticipate and prevent, rather than wait for the operation of causes of discontent.

Let me ask, Mr. Chairman, What has this government done on the great subject of internal improvements, after so many years of its existence, and with such an inviting field before it? You have made the Cumberland road only. Gentlemen appear to have considered that a Western road. They ought to recollect that not one stone has yet been broken, not one spade of earth has yet been removed in any Western State. The road begins in Maryland and it terminates at Wheeling. It passes through the States of Maryland, Pennsylvania, and Virginia. All the direct benefit of the expenditure of the public money on that road has accrued to those three States. Not one cent in any Western State. And yet we have had to beg, entreat, supplicate you, session after session, to grant the necessary appropriations to complete the road. I myself

have toiled until my powers have been exhausted and prostrated, to prevail on you to make the grant. We were actuated to make these exertions for the sake of the collateral benefit only to the West; that we might have a way by which we should be able to continue and maintain an affectionate intercourse with our friends and brethren; that we might have a way to reach the capital of our country, and to bring our counsels, humble as they may be, to consult and mingle with yours in the advancement of the national prosperity.

Yes, sir, the Cumberland road has only reached the margin of a Western State; and, from some indications which have been given during this session, I should apprehend it would there pause forever, if my confidence in you were not unbounded, if I had not before witnessed that appeals were never unsuccessful to your justice, to your magnanimity, to your fraternal affection.

But, sir, the bill on your table is no Western bill. It is emphatically a national bill, comprehending all, looking to the interests of the whole. The people of the West never thought of, never desired, never asked, for a system exclusively for their benefit. The system contemplated by this bill looks to great national objects, and proposes the ultimate application to their accomplishment of the only means by which they can be effected, the means of the nation—means which, if they be withheld from such objects, the Union, I do most solemnly believe, of these now happy and promising States, may, at some distant (I trust a far, far distant) day, be endangered and shaken at its centre.

## FOR "FREE TRADE AND SEAMEN'S RIGHTS"

FROM A SPEECH ON THE WAR OF 1812. DELIVERED IN THE HOUSE OF REPRESENTATIVES, JANUARY 8, 1813

NEXT to the notice which the opposition has found itself called upon to bestow upon the French emperor, a distinguished citizen of Virginia, formerly President of the United States, has never for a moment failed to receive their kindest and most respectful attention. An honorable gentleman from Massachusetts, Mr. Quincy, of whom, I am sorry to say, it becomes necessary for me, in the course of my remarks, to take some notice, has alluded to him in a remarkable manner. Neither his retirement from public office, his eminent services, nor his advanced age, can exempt this patriot from the coarse assaults of party malevolence. No, sir, in 1801 he snatched from the rude hand of usurpation the violated Constitution of his country, and that is his crime. He preserved that instrument in form and substance and spirit, a precious inheritance for generations to come, and for this he can never be forgiven. How vain and impotent is party rage directed against such a man! He is not more elevated by his lofty residence upon the summit of his own favorite mountain than he is lifted, by the serenity of his mind and the consciousness of a well-spent life, above the malignant passions and bitter feelings of the day. No! his own beloved Monticello is not more moved by the storms that beat against its sides than is this illustrious man by the howlings of the whole British pack set loose from the Essex kennel! When

the gentleman to whom I have been compelled to allude shall have mingled his dust with that of his abused ancestors; when he shall have been consigned to oblivion, or, if he lives at all, shall live only in the treasonable annals of a certain junto, the name of Jefferson will be hailed with gratitude, his memory honored and cherished as the second founder of the liberties of the people, and the period of his administration will be looked back to, as one of the happiest and brightest epochs of American history—an oasis in the midst of a sandy desert. But I beg the gentleman's pardon; he has indeed secured to himself a more imperishable fame than I had supposed. I think it was about four years ago that he submitted to the House of Representatives an initiative proposition for an impeachment of Mr. Jefferson. The House condescended to consider it. The gentleman debated it with his usual temper, moderation, and urbanity. The House decided upon it in the most solemn manner, and, although the gentleman had somehow obtained a second, the final vote stood, one for, and one hundred and seventeen against the proposition! The same historic page that transmitted to posterity the virtue and the glory of Henry the Great of France, for their admiration and example, has preserved the infamous name of the fanatic assassin of that excellent monarch. The same sacred pen that portrayed the sufferings and crucifixion of the Saviour of mankind has recorded, for universal execration, the name of him who was guilty, not of betraying his country, but (a kindred crime!) of betraying his God.

In one respect there is a remarkable difference between the administration and the opposition; it is in a sacred regard for personal liberty. When out of power my political friends condemned the surrender of Jonathan Robbins; they

opposed the violation of the freedom of the press in the Sedition law; they opposed the more insidious attack upon the freedom of the person under the imposing garb of an Alien law. The party now in opposition, then in power, advocated the sacrifice of the unhappy Robbins, and passed those two laws. True to our principles, we are now struggling for the liberty of our seamen against foreign oppression. True to theirs, they oppose a war undertaken for this object. They have, indeed, lately affected a tender solicitude for the liberties of the people, and talk of the danger of standing armies and the burden of taxes. But it must be evident to you, Mr. Chairman, that they speak in a foreign idiom. Their brogue evinces that it is not their vernacular tongue. What! the opposition, who, in 1798 and 1799 could raise a useless army to fight an enemy three thousand miles distant from us, alarmed at the existence of one raised for a known and specified object—the attack of the adjoining provinces of the enemy! What! the gentleman from Massachusetts, who assisted by his vote to raise the army of twenty-five thousand, alarmed at the danger of our liberties from this very army! . . .

I omitted yesterday, sir, when speaking of a delicate and painful subject, to notice a powerful engine which the conspirators against the integrity of the Union employ to effect their nefarious purposes—I mean Southern influence. The true friend to his country, knowing that our Constitution was the work of compromise, in which interests, apparently conflicting, were attempted to be reconciled, aims to extinguish or allay prejudices. But this patriotic exertion does not suit the views of those who are urged on by diabolical ambition. They find it convenient to imagine the existence of certain improper influences, and to propagate,

with their utmost industry, a belief of them. Hence the idea of Southern preponderance; Virginia influence; the yoking of the respectable yeomanry of the North, with negro slaves, to the car of Southern nabobs. If Virginia really cherishes a reprehensible ambition, an aim to monopolize the Chief Magistracy of the country, how is such a purpose to be accomplished? Virginia, alone, cannot elect a President, whose elevation depends upon a plurality of electoral votes, and a consequent concurrence of many States. Would Vermont, disinterested Pennsylvania, the Carolinas, independent Georgia, Kentucky, Tennessee, Ohio, Louisiana, all consent to become the tools of inordinate ambition? But the present incumbent was designated to the office before his predecessor had retired. How? By public sentiment—public sentiment which grew out of his known virtues, his illustrious services, and his distinguished abilities. Would the gentleman crush this public sentiment—is he prepared to admit that he would arrest the progress of opinion?

The war was declared because Great Britain arrogated to herself the pretension of regulating our foreign trade, under the delusive name of retaliatory orders in council—a pretension by which she undertook to proclaim to American enterprise—"Thus far shalt thou go, and no further"—orders which she refused to revoke after the alleged cause of their enactment had ceased; because she persisted in the practice of impressing American seamen; because she had instigated the Indians to commit hostilities against us; and because she refused indemnity for her past injuries upon our commerce. I throw out of the question other wrongs. The war, in fact, was announced, on our part, to meet the war which she was waging on her part. So undeniable were the causes of the

war, so powerfully did they address themselves to the feelings of the whole American people, that when the bill was pending before this House, gentlemen in the opposition, although provoked to debate, would not, or could not, utter one syllable against it. . . .

We are told by gentlemen in the opposition that government has not done all that was incumbent on it to do to avoid just cause of complaint on the part of Great Britain; that, in particular, the certificates of protection, authorized by the act of 1796, are fraudulently used. Sir, government has done too much in granting those paper protections. I can never think of them without being shocked. They resemble the passes which the master grants to his negro slave —"Let the bearer, Mungo, pass and repass without molestation." What do they imply? That Great Britain has a right to seize all who are not provided with them. From their very nature they must be liable to abuse on both sides. If Great Britain desires a mark by which she can know her own subjects, let her give them an ear-mark. The colors that float from the masthead should be the credentials of our seamen. There is no safety to us, and the gentlemen have shown it, but in the rule that all who sail under the flag (not being enemies) are protected by the flag. It is impossible that this country should ever abandon the gallant tars who have won for us such splendid trophies. Let me suppose that the genius of Columbia should visit one of them in his oppressor's prison and attempt to reconcile him to his forlorn and wretched condition. She would say to him, in the language of gentlemen on the other side: "Great Britain intends you no harm; she did not mean to impress you, but one of her own subjects; having taken you by mistake, I will remonstrate, and try to prevail upon her by peaceable

means to release you; but I cannot, my son, fight for you." If he did not consider this mere mockery, the poor tar would address her judgment and say: "You owe me, my country, protection; I owe you in return obedience. I am no British subject, I am a native of old Massachusetts, where live my aged father, my wife, my children. I have faithfully discharged my duty. Will you refuse to do yours?" Appealing to her passions, he would continue: "I lost this eye in fighting under Truxton with the 'Insurgente'; I got this scar before Tripoli; I broke this leg on board the 'Constitution' when the 'Guerriere' struck." If she remained still unmoved, he would break out in the accents of mingled distress and despair:

> "Hard, hard is my fate! once I freedom enjoyed,
> Was as happy as happy could be!
> Oh! how hard is my fate, how galling these chains!"

I will not imagine the dreadful catastrophe to which he would be driven by an abandonment of him to his oppressor. It will not be, it cannot be, that his country will refuse him protection. . . .

An honorable peace is attainable only by an efficient war. My plan would be to call out the ample resources of the country, give them a judicious direction, prosecute the war with the utmost vigor, strike wherever we can reach the enemy, at sea or on land, and negotiate the terms of a peace at Quebec or at Halifax.

We are told that England is a proud and lofty nation, which, disdaining to wait for danger, meets it half way. Haughty as she is, we once triumphed over her, and, if we do not listen to the counsels of timidity and despair, we shall again prevail. In such a cause, with the aid of Providence, we must come out crowned with success; but

if we fail, let us fail like men, lash ourselves to our gallant tars, and expire together in one common struggle, fighting for free trade and seamen's rights.

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## THE GREEK REVOLUTION

### HOUSE OF REPRESENTATIVES, JANUARY 20, 1824, SUPPORTING THE WEBSTER RESOLUTION

THERE is reason to apprehend that a tremendous storm is ready to burst upon our happy country—one which may call into action all our vigor, courage, and resources. Is it wise or prudent, in preparing to breast the storm, if it must come, to talk to this nation of its incompetency to repel European aggression, to lower its spirit, to weaken its moral energy, and to qualify it for easy conquest and base submission? If there be any reality in the dangers which are supposed to encompass us, should we not animate the people, and adjure them to believe, as I do, that our resources are ample; and that we can bring into the field a million of freemen, ready to exhaust their last drop of blood, and to spend the last cent in the defence of the country, its liberty, and its institutions? Sir, are these, if united, to be conquered by all Europe combined? All the perils to which we can possibly be exposed are much less in reality than the imagination is disposed to paint them. And they are best averted by a habitual contemplation of them, by reducing them to their true dimensions. If combined Europe is to precipitate itself upon us, we cannot too soon begin to invigorate our strength, to teach our heads to think, our hearts to conceive, and our arms to

execute, the high and noble deeds which belong to the character and glory of our country. The experience of the world instructs us that conquests are already achieved, which are boldly and firmly resolved on, and that men only become slaves who have ceased to resolve to be free. If we wish to cover ourselves with the best of all armor, let us not discourage our people, let us stimulate their ardor, let us sustain their resolution, let us proclaim to them that we feel as they feel, and that, with them, we are determined to live or die like freemen.

Surely, sir, we need no long or learned lectures about the nature of government and the influence of property or ranks on society. We may content ourselves with studying the true character of our own people and with knowing that the interests are confided to us of a nation capable of doing and suffering all things for its liberty. Such a nation, if its rulers be faithful, must be invincible. I well remember an observation made to me by the most illustrious female[1] of the age, if not of her sex. All history showed, she said, that a nation was never conquered. No, sir, no united nation that resolves to be free can be conquered. And has it come to this? Are we so humbled, so low, so debased, that we dare not express our sympathy for suffering Greece, that we dare not articulate our detestation of the brutal excesses of which she has been the bleeding victim, lest we might offend some one or more of their imperial and royal majesties? If gentlemen are afraid to act rashly on such a subject, suppose, Mr. Chairman, that we unite in a humble petition, addressed to their majesties, beseeching them that of

[1] Madame de Staël.

their gracious condescension they would allow us to express our feelings and our sympathies. How shall it run? "We, the representatives of the free people of the United States of America, humbly approach the thrones of your imperial and royal majesties, and supplicate that, of your imperial and royal clemency"—I cannot go through the disgusting recital—my lips have not yet learned to pronounce the sycophantic language of a degraded slave! Are we so mean, so base, so despicable, that we may not attempt to express our horror—to utter our indignation, at the most brutal and atrocious war that ever stained earth or shocked high heaven; at the ferocious deeds of a savage and infuriated soldiery, stimulated and urged on by the clergy of a fanatical and inimical religion, and rioting in all the excesses of blood and butchery, at the mere details of which the heart sickens and recoils!

If the great body of Christendom can look on calmly and coolly, while all this is perpetrated on a Christian people, in its own immediate vicinity, in its very presence, let us at least evince that one of its remote extremities is susceptible of sensibility to Christian wrongs, and capable of sympathy for Christian sufferings; that in this remote quarter of the world there are hearts not yet closed against compassion for human woes, that can pour out their indignant feelings at the oppression of a people endeared to us by every ancient recollection, and every modern tie. . . .

But, sir, it is not for Greece alone that I desire to see this measure adopted. It will give to her but little support, and that purely of a moral kind. It is principally for America, for the credit and character of our common country, for our own unsullied name, that I hope to see it pass. Mr. Chairman, what appearance on the page of history

would a record like this exhibit? "In the month of January, in the year of our Lord and Saviour 1824, while all European Christendom beheld, with cold and unfeeling indifference, the unexampled wrongs and inexpressible misery of Christian Greece, a proposition was made in the Congress of the United States, almost the sole, the last, the greatest depository of human hope and human freedom, the representatives of a gallant nation, containing a million of freemen ready to fly to arms, while the people of that nation were spontaneously expressing its deep-toned feeling, and the whole continent, by one simultaneous emotion, was rising, and solemnly and anxiously supplicating and invoking high heaven to spare and succor Greece, and to invigorate her arms, in her glorious cause, while temples and Senate Houses were alike resounding with one burst of generous and holy sympathy—in the year of our Lord and Saviour, that Saviour of Greece and of us—a proposition was offered in the American Congress to send a messenger to Greece to inquire into her state and condition, with a kind expression of our good wishes and our sympathies—and it was rejected!" Go home, if you can, go home, if you dare, to your constituents, and tell them that you voted it down; meet, if you can, the appalling countenances of those who sent you here, and tell them that you shrank from the declaration of your own sentiments—that you cannot tell how, but that some unknown dread, some indescribable apprehension, some indefinable danger, drove you from your purpose —that the spectres of cimeters and crowns and crescents gleamed before you and alarmed you; and that you suppressed all the noble feelings prompted by religion, by liberty, by national independence, and by humanity. I cannot bring myself to believe that such will be the feel-

ing of a majority of the committee. But, for myself, though every friend of the cause should desert it, and I be left to stand alone with the gentleman from Massachusetts, I will give to his resolution the poor sanction of my unqualified approbation.

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## THE NOBLEST PUBLIC VIRTUE

REPLYING TO MR. RIVES IN THE UNITED STATES SENATE, AUGUST 19, 1841 —ONCE DESCRIBED BY MR. CLAY HIMSELF AS HIS MOST EFFECTIVE PASSAGE

I ROSE not to say one word which should wound the feelings of President Tyler. The Senate says that, if placed in like circumstances, I would have been the last man to avoid putting a direct veto upon the bill, had it met my disapprobation; and he does me the honor to attribute to me high qualities of stern and unbending intrepidity. I hope that in all that relates to personal firmness, all that concerns a just appreciation of the insignificance of human life—whatever may be attempted to threaten or alarm a soul not easily swayed by opposition, or awed or intimidated by menace—a stout heart and a steady eye, that can survey, unmoved and undaunted, any mere personal perils that assail this poor, transient, perishing frame, I may, without disparagement, compare with other men. But there is a sort of courage, which, I frankly confess it, I do not possess, a boldness to which I dare not aspire, a valor which I cannot covet. I cannot lay myself down in the way of the welfare and happiness of my country. That I cannot, I have not the courage to do. I cannot interpose the power with which I may be invested, a power conferred

not for my personal benefit, nor for my aggrandizement, but for my country's good, to check her onward march to greatness and glory. I have not courage enough, I am too cowardly for that. I would not, I dare not, in the exercise of such a trust, lie down and place my body across the path that leads my country to prosperity and happiness. This is a sort of courage widely different from that which a man may display in his private conduct and personal relations. Personal or private courage is totally distinct from that higher and nobler courage which prompts the patriot to offer himself a voluntary sacrifice to his country's good.

Nor did I say, as the Senator represents, that the President should have resigned. I intimated no personal wish or desire that he should resign. I referred to the fact of a memorable resignation in his public life. And what I did say was, that there were other alternatives before him besides vetoing the bill, and that it was worthy of his consideration whether consistency did not require that the example which he had set when he had a constituency of one State should not be followed when he had a constituency commensurate with the whole Union. Another alternative was to suffer the bill, without his signature, to pass into a law under the provisions of the Constitution. And I must confess, I see, in this, no such escaping by the back door, no such jumping out of the window, as the Senator talks about.

Apprehensions of the imputation of the want of firmness sometimes impel us to perform rash and inconsiderate acts. It is the greatest courage to be able to bear the imputation of the want of courage. But pride, vanity, egotism, so unamiable and offensive in private life, are vices which partake of the character of crimes in the conduct of public affairs. The unfortunate victim of these passions cannot

see beyond the little, petty, contemptible circle of his own personal interests. All his thoughts are withdrawn from his country and concentrated on his consistency, his firmness, himself. The high, the exalted, the sublime emotions of a patriotism, which, soaring toward heaven, rises far above all mean, low, or selfish things, and is absorbed by one soul-transporting thought of the good and the glory of one's country, are never felt in his impenetrable bosom. That patriotism, which, catching its inspirations from the immortal God, and leaving at an immeasurable distance below all lesser, grovelling, personal interests and feelings, animates and prompts to deeds of self-sacrifice, of valor, of devotion, and of death itself—that is public virtue; that is the noblest, the sublimest of all public virtues!

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## SIXTY YEARS OF SECTIONALISM

### CLOSING ARGUMENT IN SUPPORT OF THE COMPROMISE OF 1850, UNITED STATES SENATE, FEBRUARY 6, 1850

Mr. Mangum having offered to make a motion to adjourn, Mr. Clay said: "No, sir; no, sir; if the Senate will bear with me, I think I can go through with it better to-day than I could to-morrow."

*Mr. President:*

THIS Union is threatened with subversion. I desire to take a very rapid glance at the course of public measures in this Union presently. I wanted, however, before I did that, to ask the Senate to look back upon the career which this country has run from the adoption of the Constitution down to the present day. Was there ever a nation upon which the sun of heaven has shone which has

exhibited so much of prosperity as our own? At the commencement of this government, our population amounted to about four millions. It has now reached upward of twenty millions. Our territory was limited chiefly and principally to that bordering upon the Atlantic Ocean, and that which includes the southern shores of the interior lakes of our country. Our territory now extends from the northern provinces of Great Britain to the Rio Grande and the Gulf of Mexico; from the Atlantic Ocean on the one side to the Pacific on the other—the largest extent of territory under one government existing upon earth, with only two solitary exceptions. Our tonnage, from being nothing, has risen to a magnitude and amount to rival that of the nation which has been proudly called the mistress of the ocean. We have gone through many wars; one with that very nation from whom, in 1776, we broke off, as weak and feeble colonies, when we asserted our independence as a member of the family of nations. And, sir, we came out of that struggle—unequal as it was, armed as she was at all points in consequence of the long struggles of Europe, and unarmed as we were at all points, in consequence of the habits and nature of our country and its institutions—we came out of that war without the loss of any honor whatever; we emerged from it gloriously. In every Indian war—we have been engaged in many of them—our arms have been triumphant. And without speaking at all as to the causes of the recent war with Mexico, whether they were right or wrong, and abstaining from the expression of any opinion as to the justice or propriety of the war when it commenced, all must unite in respect to the gallantry of our arms and the glory of our triumphs. There is no page—there are no pages of history which record more brilliant successes. With respect to the

one in command of an important portion of our army, I need say nothing in praise of him who has been borne by the voice of his country to the highest station in it, mainly on account of his glorious military career. But of another military commander, less fortunate in other respects, I must take the opportunity of saying that for skill, for science, for strategy, for bold and daring fighting, for chivalry of individuals and of masses, that portion of the Mexican War which was conducted by the gallant Scott, as chief commander, stands unrivalled either by the deeds of Cortes himself or by those of any other commander in ancient or modern times.

Our prosperity is unbounded. Nay, Mr. President, I sometimes fear that it is the very wantonness of our prosperity that leads us to these threatening ills of the moment, that restlessness and these erratic schemes throughout the whole country, some of which have even found their way into legislative halls. We want, I fear, the chastising wand of Heaven to bring us back to a sense of the immeasurable benefits and blessings which have been bestowed upon us by Providence. At this moment, with the exception of here and there a particular department in the manufacturing business of the country, all is prosperous and happy—both the rich and poor. Our nation has grown to a magnitude in power and in greatness to command the respect, if it does not call for the apprehensions, of all the powers of the earth with which we can come in contact. Sir, do I depict with colors too lively the prosperity which has resulted to us from the operation of the Constitution under which we live? Have I exaggerated in any degree?

Now, let me go a little into detail as to the sway in the councils of the nation, whether of the North or of

the South, during the sixty years of unparalleled prosperity that we enjoy. During the first twelve years of the administration of the government Northern counsels rather prevailed, and out of them sprung the Bank of the United States; the assumption of the State debts; bounties to the fisheries; protection to the domestic manufactures —I allude to the Act of 1789; neutrality in the wars with Europe; Jay's Treaty; Alien and Sedition Laws; and a *quasi* war with France. I do not say, sir, that those leading and prominent measures which were adopted during the administration of Washington and the elder Adams were carried exclusively by Northern counsels. They could not have been; but were carried mainly by the sway which Northern counsels had obtained in the affairs of the country.

So, also, with the latter party for the last fifty years. I do not mean to say that Southern counsels alone have carried the measures which I am about to enumerate. I know they could not exclusively have carried them; but I say they have been carried by their preponderating influence, with co-operation, it is true, and large co-operation, in some instances, from the Northern section of the Union.

And what are those measures during the fifty years that Southern counsels have preponderated? The Embargo and other commercial restrictions of non-intercourse and non-importation; war with Great Britain; the Bank of the United States overthrown; protection to domestic manufactures enlarged and extended (I allude to the passage of the Act of 1815 or 1816); the Bank of the United States re-established; the same bank put down; re-established by Southern counsels and put down by Southern counsels; Louisiana acquired; Florida bought; Texas annexed; war

with Mexico; California and other territories acquired from Mexico by conquest and purchase; protection superseded and free trade established; Indians removed west of the Missouri; fifteen new States admitted into the Union. I may very possibly have omitted some of the important measures which have been adopted during the latter period or time to which I have referred—the last fifty years; but these, I believe, are the most prominent.

I do not deduce from the enumeration of the acts of the one side or the other any just cause of reproach to the one side or the other, although one side or the other has predominated in the two periods to which I have referred. It has been at least the work of both, and neither need justly reproach the other; but I must say in all candor and sincerity that least of all ought the South to reproach the North, when we look at the long list of measures we have had under our sway in the councils of the nation, and which have been adopted as the policy of the government, when we reflect that even opposite doctrines have been prominently advanced by the South and carried at different times. A Bank of the United States was established under the administration of Mr. Madison, with the co-operation of the South. I do not, when I speak of the South or North, speak of the entire South or North—I speak of the prominent and larger proportions of the South or North. It was during Mr. Madison's administration that the Bank of the United States was established. The friend [Mr. Calhoun] whose sickness I again deplore, as it prevents us from having his attendance here upon this occasion, was the chairman of the committee of the House of Representatives, and carried the measure through Congress. I voted for it with all my heart, although I had been instrumental in putting

down the old Bank of the United States. I had changed my mind; and I co-operated in the establishment of the bank of 1816. The same bank was again put down by Southern counsels, with General Jackson at their head, at a later period. Then, with respect to the policy of protection, the South, in 1815—I mean the prominent and leading men of the South, Lowndes, Calhoun, and others—united in extending a certain measure of protection to the domestic manufacturers of the South, as well as of the North. You find, a few years afterward, that the South opposes the most serious objection to this policy, at least one member of the Union staking upon that objection the dissolution of the Union.

Let us take another view; and of these several views no one is brought forward in any spirit of reproach, but in a spirit of conciliation—not to provoke or exasperate, but to quiet and produce harmony and repose, if possible. What have been the territorial acquisitions made by this country, and to what interests have they conduced? Florida, where slavery exists, has been introduced. All the most valuable parts of Louisiana have also added to the extent and consideration of the slaveholding portion of the Union; for although there is a large extent of that territory north of 36° 30', yet, in point of intrinsic value and importance, I would not give the single State of Louisiana for the whole of it. All Louisiana, with the exception of what lies north of 36° 30', including Oregon, to which we have obtained title mainly upon the ground of its being a part of the acquisition of Louisiana—all Texas, all the territories which have been acquired by the government of the United States during the past sixty years of the operation of that government, have been slave territories—theatres of slavery—with

the exception I have mentioned lying north of the line of 36° 30′. But how was it in the case of a war made essentially by the South, growing out of the annexation of Texas, which was a measure pressed by the South upon the councils of the country, and which led to the war with Mexico? I do not say of the whole South; but a major portion of the South pressed the annexation of Texas upon the country, and that led to a war with Mexico, and to the ultimate acquisition of these Territories which now constitute the bone of contention between the members of the Confederacy. And now, when, for the first time, any free territory—after these great acquisitions in Florida, Louisiana, and Texas had been made and redounded to the benefit of the South—now, when, for the first time, free Territories are attempted to be introduced—Territories without the institution of slavery—I put it to the hearts of my countrymen of the South, if it is right to press matters to the disastrous consequences that have been intimated no longer ago than this very morning, upon the presentation of the resolutions from North Carolina.

A Senator here offered to move an adjournment.

Mr. President, I hope the Senate will only have the goodness, if I don't tire out their patience, to permit me to go on. I would prefer concluding to-day. I begin to see land. I shall pretty soon arrive at the end. I had much rather occupy half an hour now than leave what I have to say for to-morrow—to trespass upon the patience of the Senate another day.

Such is the Union, and such are its glorious fruits. We are told now, and it is rung throughout this entire country, that the Union is threatened with subversion and destruc-

tion. Well, the first question which naturally arises is, supposing the Union to be dissolved—having all the causes of grievance which are complained of—How far will a dissolution furnish a remedy for those grievances? If the Union is to be dissolved for any existing causes, it will be dissolved because slavery is interdicted or not allowed to be introduced into the ceded Territories; because slavery is threatened to be abolished in the District of Columbia, and because fugitive slaves are not returned, as in my opinion they ought to be, and restored to their masters. These, I believe, will be the causes, if there be any causes, which can lead to the direful event to which I have referred.

Well, now, let us suppose that the Union has been dissolved. What remedy does it furnish for the grievances complained of in its united condition? Will you be able to push slavery into the ceded Territories? How are you to do it, supposing the North—all the States north of the Potomac, and which are opposed to it—in possession of the navy and army of the United States? Can you expect, if there is a dissolution of the Union, that you can carry slavery into California and New Mexico? You cannot dream of such a purpose. If it were abolished in the District of Columbia, and the Union were dissolved, would the dissolution of the Union restore slavery in the District of Columbia? Are you safer in the recovery of your fugitive slaves, in a state of dissolution or of severance of the Union, than you are in the Union itself? Why, what is the state of the fact in the Union? You lose some slaves. You recover some others. Let me advert to a fact which I ought to have introduced before, because it is highly creditable to the courts and juries of the free

States. In every case, so far as my information extends, where an appeal has been made to the courts of justice for the recovery of fugitives, or for the recovery of penalties inflicted upon persons who have assisted in decoying slaves from their masters and aiding them in escaping from their masters—as far as I am informed, the courts have asserted the rights of the owner, and the juries have promptly returned adequate verdicts in favor of the owner. Well, this is some remedy. What would you have if the Union were dissevered? Why, sir, then the severed parts would be independent of each other—foreign countries! Slaves taken from the one into the other would be then like slaves now escaping from the United States into Canada. There would be no right of extradition; no right to demand your slaves; no right to appeal to the courts of justice to demand your slaves which escape, or the penalties for decoying them. Where one slave escapes now, by running away from his owner, hundreds and thousands would escape if the Union were severed in parts—I care not where nor how you run the line, if independent sovereignties were established.

Well, finally, will you, in a state of dissolution of the Union, be safer with your slaves within the bosom of the States than you are now? Mr. President, that they will escape much more frequently from the border States, no one will doubt.

But, I must take the occasion to say that, in my opinion, there is no right on the part of one or more of the States to secede from the Union. War and the dissolution of the Union are identical and inseparable. There can be no dissolution of the Union, except by consent or by war. No one can expect, in the existing state of things, that that

consent would be given, and war is the only alternative by which a dissolution could be accomplished. And, Mr. President, if consent were given—if possibly we were to separate by mutual agreement and by a given line, in less than sixty days after such an agreement had been executed, war would break out between the free and slaveholding portions of this Union—between the two independent portions into which it would be erected in virtue of the act of separation. Yes, sir, sixty days—in less than sixty days, I believe, our slaves from Kentucky would be fleeing over in numbers to the other side of the river, would be pursued by their owners, and the excitable and ardent spirits who would engage in the pursuit would be restrained by no sense of the rights which appertain to the independence of the other side of the river, supposing it, then, to be the line of separation. They would pursue their slaves; they would be repelled, and war would break out. In less than sixty days war would be blazing forth in every part of this now happy and peaceable land.

But how are you going to separate them? In my humble opinion, Mr. President, we should begin at least with three confederacies—the Confederacy of the North, the Confederacy of the Atlantic Southern States (the slaveholding States), and the Confederacy of the Valley of the Mississippi. My life upon it, sir, that vast population that has already concentrated, and will concentrate, upon the headwaters and tributaries of the Mississippi, will never consent that the mouth of that river shall be held subject to the power of any foreign State whatever. Such, I believe, would be the consequences of a dissolution of the Union. But other confederacies would spring up, from time to time, as dissatisfaction and discontent were disseminated

over the country. There would be the Confederacy of the Lakes—perhaps the Confederacy of New England and of the Middle States.

But, sir, the veil which covers these sad and disastrous events that lie beyond a possible rupture of this Union is too thick to be penetrated or lifted by any mortal eye or hand.

Mr. President, I am directly opposed to any purpose of secession, of separation. I am for staying within the Union, and defying any portion of this Union to expel or drive me out of the Union. I am for staying within the Union and fighting for my rights—if necessary, with the sword—within the bounds and under the safeguard of the Union. I am for vindicating these rights; but not by being driven out of the Union rashly and unceremoniously by any portion of this Confederacy. Here I am within it, and here I mean to stand and die; as far as my individual purposes or wishes can go—within it to protect myself, and to defy all power upon earth to expel or drive me from the situation in which I am placed. Will there not be more safety in fighting within the Union than without it?

Suppose your rights to be violated; suppose wrongs to be done you, aggressions to be perpetrated upon you; cannot you better fight and vindicate them, if you have occasion to resort to that last necessity of the sword, within the Union, and with the sympathies of a large portion of the population of the Union of these States differently constituted from you, than you can fight and vindicate your rights, expelled from the Union, and driven from it without ceremony and without authority?

I said that I thought that there was no right on the part

of one or more of the States to secede from this Union. I think that the Constitution of the thirteen States was made, not merely for the generation which then existed, but for posterity, undefined, unlimited, permanent, and perpetual—for their posterity, and for every subsequent State which might come into the Union, binding themselves by that indissoluble bond. It is to remain for that posterity now and forever. Like another of the great relations of private life, it was a marriage that no human authority can dissolve or divorce the parties from; and, if I may be allowed to refer to this same example in private life, let us say what man and wife say to each other: "We have mutual faults; nothing in the form of human beings can be perfect. Let us then be kind to each other, forbearing, conceding; let us live in happiness and peace."

Mr. President, I have said what I solemnly believe—that the dissolution of the Union and war are identical and inseparable; that they are convertible terms.

Such a war, too, as that would be, following the dissolution of the Union! Sir, we may search the pages of history, and none so furious, so bloody, so implacable, so exterminating, from the wars of Greece down, including those of the Commonwealth of England, and the Revolution of France—none, none of them raged with such violence, or was ever conducted with such bloodshed and enormities, as will that war which shall follow that disastrous event—if that event ever happens—of dissolution.

And what would be its termination? Standing armies and navies, to an extent draining the revenues of each portion of the dissevered empire, would be created; exterminating wars would follow—not a war of two nor three years, but of interminable duration—an exterminating war

would follow, until some Philip or Alexander, some Cæsar or Napoleon, would rise to cut the Gordian knot, and solve the problem of the capacity of man for self-government, and crush the liberties of both the dissevered portions of this Union. Can you doubt it? Look at history—consult the pages of all history, ancient or modern; look at human nature—look at the character of the contest in which you would be engaged in the supposition of a war following the dissolution of the Union, such as I have suggested—and I ask you if it is possible for you to doubt that the final but perhaps distant termination of the whole will be some despot treading down the liberties of the people?—that the final result will be the extinction of this last and glorious light, which is leading all mankind, who are gazing upon it, to cherish hope and anxious expectation that the liberty which prevails here will sooner or later be advanced throughout the civilized world? Can you, Mr. President, lightly contemplate the consequences? Can you yield yourself to a torrent of passion, amid dangers which I have depicted in colors far short of what would be the reality, if the event should ever happen? I conjure gentlemen—whether from the South or the North, by all they hold dear in this world—by all their love of liberty—by all their veneration for their ancestors—by all their regard for posterity—by all their gratitude to him who has bestowed upon them such unnumbered blessings—by all the duties which they owe to mankind, and all the duties they owe to themselves—by all these considerations I implore them to pause—solemnly to pause—at the edge of the precipice before the fearful and disastrous leap is taken in the yawning abyss below, which will inevitably lead to certain and irretrievable destruction.

And, finally, Mr. President, I implore, as the best blessing which Heaven can bestow upon me on earth, that if the direful and sad event of the dissolution of the Union shall happen, I may not survive to behold the sad and heart-rending spectacle.

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## ADDRESS TO LAFAYETTE

[Delivered on the occasion of the presentation of General Lafayette to the House of Representatives of the United States, December 10, 1824.]

GENERAL,—The House of Representatives of the United States, impelled alike by its own feelings and by those of the whole American people, could not have assigned to me a more gratifying duty than that of presenting to you cordial congratulations upon the occasion of your recent arrival in the United States, in compliance with the wishes of Congress, and to assure you of the very high satisfaction which your presence affords on this early theatre of your glory and renown.

Although but few of the members who compose this body shared with you in the war of our Revolution, all have, from impartial history or from faithful tradition, a knowledge of the perils, the sufferings, and the sacrifices which you voluntarily encountered, and the signal services, in America and in Europe, which you performed for an infant, a distant, and an alien people; and all feel and own the very great extent of the obligations under which you have placed our country.

But the relations in which you have ever stood to the United States, interesting and important as they have been, do not constitute the only motive of the respect and admiration which the House of Representatives entertain for you. Your consistency of character, your uniform devotion to regulated liberty, in all the vicissitudes of a long and arduous life, also com-

mand its admiration. During all the recent convulsions of Europe, amid, as after the dispersion of, every political storm, the people of the United States have beheld you, true to your old principles, firm and erect, cheering and animating with your well-known voice the votaries of liberty, its faithful and fearless champion, ready to shed the last drop of that blood which here you so freely and nobly spilled in the same holy cause.

The vain wish has been sometimes indulged that Providence would allow the patriot, after death, to return to his country, and to contemplate the intermediate changes which had taken place; to view the forests felled, the cities built, the mountains levelled, the canals cut, the highways constructed, the progress of the arts, the advancement of learning, and the increase of population.

General, your present visit to the United States is a realization of the consoling object of that wish. You are in the midst of posterity. Everywhere you must have been struck with the great changes, physical and moral, which have occurred since you left us. Even this very city, bearing a venerated name alike endeared to you and to us, has since emerged from the forest which then covered its site. In one respect you behold us unaltered, and this is in the sentiment of continued devotion to liberty and of ardent affection and profound gratitude to your departed friend, the father of his country, and to you, and to your illustrious associates in the field and in the cabinet for the multiplied blessings which surround us, and for the very privilege of addressing you which I now exercise. This sentiment, now fondly cherished by more than ten millions of people, will be transmitted, with unabated vigor, down the tide of time, through the countless millions who are destined to inhabit this continent, to the latest posterity.

## REPLY TO JOHN RANDOLPH

MADE IN THE HOUSE OF REPRESENTATIVES IN 1824

SIR,—I am growing old. I have had some little measure of experience in public life, and the result of that experience has brought me to this conclusion, that when business, of whatever nature, is to be transacted in a deliberative assembly or in private life, courtesy, forbearance, and moderation are best calculated to bring it to a successful conclusion. Sir, my age admonishes me to abstain from involving myself in personal difficulties; would to God that I could say I am also restrained by higher motives. I certainly never sought any collision with the gentleman from Virginia. My situation at this time is peculiar, if it be nothing else, and might, I should think, dissuade, at least, a generous heart from any wish to draw me into circumstances of personal altercation. I have experienced this magnanimity from some quarters of the House.

But I regret that from others it appears to have no such consideration. The gentleman from Virginia was pleased to say that in one point at least he coincided with me—in an humble estimate of my grammatical and philological acquirements. I know my deficiencies. I was born to no proud patrimonial estate; from my father I inherited only infancy, ignorance, and indigence. I feel my defects; but so far as my situation in early life is concerned I may without presumption say they are more my misfortune than my fault But, however I regret my want of ability to furnish to the gentleman a better specimen of powers of verbal criticism, I will venture to say it is not greater than the disappointment of this committee as to the strength of his argument.

# STORY

JOSEPH STORY, a distinguished American jurist, was born at Marblehead, Massachusetts, September 18, 1779. He was educated at Harvard College, studied law, and began the practice of his profession in Salem, which town he represented in the Massachusetts legislature, 1805-08. During the next two years he was representative in Congress, where he urged the repeal of the embargo, which he pronounced a temporary measure that had already served its purpose. In 1810 he was again returned to the State legislature and the next year was appointed as associate justice to the United States supreme court. Story was a member of the convention assembled in 1820 to revise the constitution of Massachusetts. The motion was made that the legislature should be empowered to diminish the salaries of the judges of the supreme judicial court, and Story opposed it in a fine speech. In 1829 the Dane professorship of law at Harvard was created for him, a post which he occupied until his death at Cambridge, September 10, 1845. Story was a man of vast legal acquirements and almost matchless industry, and ranks among the truly great jurists of his time, his legal works having become recognized authorities in Europe as well as in his native country. They include "Commentaries on the Law of Bailments" (1832); "On the Constitution of the United States" (1833); "On the Conflict of Laws" (1834), probably his ablest book, and many other legal works.

## CHARACTERISTICS OF THE AGE

PRONOUNCED AT CAMBRIDGE, BEFORE THE PHI BETA KAPPA SOCIETY OF HARVARD UNIVERSITY, AUGUST 31, 1826

ONE of the most striking characteristics of our age, and that, indeed, which has worked deepest in all the changes of its fortunes and pursuits, is the general diffusion of knowledge. This is emphatically the age of reading. In other times this was the privilege of the few; in ours it is the possession of the many. Learning once constituted the accomplishment of those in the higher orders of society, who had no relish for active employment, and of those whose monastic lives and religious profession sought to escape from the weariness of their common duties. Its

progress may be said to have been gradually downward from the higher to the middle classes of society. It scarcely reached at all, in its joys or its sorrows, in its instructions or its fantasies, the home of the peasant and artisan. It now radiates in all directions, and exerts its central force more in the middle than in any other class of society. The means of education were formerly within the reach of few. It required wealth to accumulate knowledge. The possession of a library was no ordinary achievement. The learned leisure of a fellowship in some university seemed almost indispensable for any successful studies; and the patronage of princes and courtiers was the narrow avenue to public favor. I speak of a period at little more than the distance of two centuries; not of particular instances, but of the general cast and complexion of life.

The principal cause of this change is to be found in the freedom of the press, or rather in this co-operating with the cheapness of the press. It has been aided also by the system of free schools, wherever it has been established; by that liberal commerce which connects by golden chains the interests of mankind; by that spirit of inquiry which Protestantism awakened throughout Christian Europe; and above all by those necessities which have compelled even absolute monarchs to appeal to the patriotism and common sentiments of their subjects. Little more than a century has elapsed since the press in England was under the control of a licenser; and within our own days only has it ceased to be a contempt, punishable by imprisonment, to print the debates of Parliament. We all know how it still is on the continent of Europe. It either speaks in timid undertones, or echoes back the prescribed formularies of the government. The moment publicity is given to affairs of state they excite everywhere an

irresistible interest. If discussion be permitted, it will soon be necessary to enlist talents to defend, as well as talents to devise measures. The daily press first instructed men in their wants, and soon found that the eagerness of curiosity outstripped the power of gratifying it. No man can now doubt the fact that wherever the press is free it will emancipate the people; wherever knowledge circulates unrestrained it is no longer safe to oppress; wherever public opinion is enlightened it nourishes an independent, masculine, and healthful spirit. If Faustus were now living he might exclaim with all the enthusiasm of Archimedes, and with a far nearer approach to the truth, "Give me where I may place a free press, and I will shake the world."

One interesting effect, which owes its origin to this universal love and power of reading, is felt in the altered condition of authors themselves. They no longer depend upon the smiles of a favored few. The patronage of the great is no longer submissively entreated or exultingly proclaimed. Their patrons are the public; their readers are the civilized world. They address themselves, not to the present generation alone, but aspire to instruct posterity. No blushing dedications seek an easy passport to fame or flatter the perilous condescension of pride. No illuminated letters flourish on the silky page asking admission to the courtly drawing-room. Authors are no longer the humble companions or dependents of the nobility; but they constitute the chosen ornaments of society and are welcomed to the gay circles of fashion and the palaces of princes. Theirs is no longer an unthrifty vocation, closely allied to penury; but an elevated profession, maintaining its thousands in lucrative pursuits. It is not with them as it was in the days of Milton, whose immortal "Paradise Lost" drew five sterling pounds,

with a contingent of five more, from the reluctant bookseller.

My Lord Coke would hardly find good authority in our day for his provoking commentary on the memorable statute of the fourth Henry, which declares that "none henceforth shall use to multiply gold or silver, or use the craft of multiplication," in which he gravely enumerates five classes of beggars, ending the catalogue in his own quaint phraseology with "poetasters," and repeating for the benefit of young apprentices of the law the sad admonition,

> "Sæpe pater dixit, Studium, quid inutile tentas?
> Mæonidas nullas ipse reliquit opes."[1]

There are certainly among us those who are within the penalty of this prohibition if my Lord Coke's account of the matter is to be believed, for they are in possession of what he defines to be "a certain subtil and spiritual substance extracted out of things," whereby they transmute many things into gold. I am indeed afraid that the magician of Abbotsford is accustomed to "use the craft of multiplication;" and most of us know to our cost that he has changed many strange substances into very gold and very silver. Yet even if he be an old offender in this way, as is shrewdly suspected, there is little danger of his conviction in this liberal age, since, though he gains by everything he parts with, we are never willing to part with anything we receive from him.

The rewards of authorship are now almost as sure and regular as those of any other profession. There are, indeed, instances of wonderful success and sad failure; of genius pining in neglect; of labor bringing nothing but sickness of

[1] "Often my father said: 'Why dost thou useless study?' He himself left no Homeric works."

the heart; of fruitless enterprise baffled in every adventure; of learning waiting its appointed time to die in patient suffering. But this is the lot of some in all times. Disappointment crowds fast upon human footsteps in whatever paths they tread. Eminent good fortune is a prize rarely given even to the foremost in the race. And after all, he who has read human life most closely knows that happiness is not the constant attendant of the highest public favor; and that it rather belongs to those who, if they seldom soar, seldom fall.

Scarcely is a work of real merit dry from the English press, before it wings its way to both the Indies and Americas. It is found in the most distant climates and the most sequestered retreats. It charms the traveller as he sails over rivers and oceans. It visits our lakes and our forests. It kindles the curiosity of the thick-breathing city and cheers the log hut of the mountaineer. The lake of the woods resounds with the minstrelsy of our mother tongue, and the plains of Hindostan are tributary to its praise. Nay, more, what is the peculiar pride of our age, the Bible may now circulate its consolations and instructions among the poor and forlorn of every land in their native dialect. Such is the triumph of letters; such is the triumph of Christian benevolence.

With such a demand for books, with such facilities of intercourse, it is no wonder that reading should cease to be a mere luxury and should be classed among the necessaries of life. Authors may now, with a steady confidence, boast that they possess a hold on the human mind which grapples closer and mightier than all others. They may feel sure that every just sentiment, every enlightened opinion, every earnest breathing after excellence will awaken kindred sympathies from the rising to the setting sun.

Nor should it be overlooked what a beneficial impulse has

been thus communicated to education among the female sex. If Christianity may be said to have given a permanent elevation to woman as an intellectual and moral being, it is as true that the present age, above all others, has given play to her genius and taught us to reverence its influence.

It was the fashion of other times to treat the literary acquirements of the sex as starched pedantry or vain pretensions; to stigmatize them as inconsistent with those domestic affections and virtues which constitute the charm of society. We had abundant homilies read upon their amiable weaknesses and sentimental delicacy, upon their timid gentleness and submissive dependence; as if to taste the fruit of knowledge were a deadly sin, and ignorance were the sole guardian of innocence. Their whole lives were "sicklied o'er with the pale cast of thought," and concealment of intellectual power was often resorted to, to escape the dangerous imputation of masculine strength. In the higher walks of life the satirist was not without color for the suggestion, that it was—

"A youth of folly, an old age of cards;"

and that elsewhere "most women had no character at all" beyond that of purity and devotion to their families.

Admirable as are these qualities, it seemed an abuse of the gifts of Providence to deny to mothers the power of instructing their children, to wives the privilege of sharing the intellectual pursuits of their husbands, to sisters and daughters the delight of ministering knowledge in the fireside circle, to youth and beauty the charm of refined sense, to age and infirmity the consolation of studies which elevate the soul and gladden the listless hours of despondency.

These things have in a great measure passed away. The prejudices which dishonored the sex have yielded to the

influence of truth. By slow but sure advances education has extended itself through all ranks of female society. There is no longer any dread lest the culture of science should foster that masculine boldness or restless independence which alarms by its sallies or wounds by its inconsistencies.

We have seen that here, as everywhere else, knowledge is favorable to human virtue and human happiness; that the refinement of literature adds lustre to the devotion of piety; that true learning, like true taste, is modest and unostentatious; that grace of manners receives a higher polish from the discipline of the schools; that cultivated genius sheds a cheering light over domestic duties, and its very sparkles, like those of the diamond, attest at once its power and its purity. There is not a rank of female society, however high, which does not now pay homage to literature, or that would not blush even at the suspicion of that ignorance which a half century ago was neither uncommon nor discreditable. There is not a parent whose pride may not glow at the thought that his daughter's happiness is in a great measure within her own command, whether she keeps the cool sequestered vale of life or visits the busy walks of fashion.

A new path is thus open for female exertion, to alleviate the pressure of misfortune, without any supposed sacrifice of dignity or modesty. Man no longer aspires to an exclusive dominion in authorship. He has rivals or allies in almost every department of knowledge; and they are to be found among those whose elegance of manners and blamelessness of life command his respect as much as their talents excite his admiration.

Who is there that does not contemplate with enthusiasm the precious fragments of Elizabeth Smith, the venerable learning of Elizabeth Carter, the elevated piety of Hannah More,

the persuasive sense of Mrs. Barbauld, the elegant memoirs of her accomplished niece, the bewitching fictions of Madame D'Arblay, the vivid, picturesque, and terrific imagery of Mrs. Radcliffe, the glowing poetry of Mrs. Hemans, the matchless wit, the inexhaustible conversations, the fine character-painting, the practical instructions of Miss Edgeworth, the great known, standing in her own department by the side of the great unknown?

Another circumstance, illustrative of the character of our age, is the bold and fearless spirit of its speculations. Nothing is more common in the history of mankind than a servile adoption of received opinions and a timid acquiescence in whatever is established.

It matters not whether a doctrine or institution owes its existence to accident or design, to wisdom, or ignorance, or folly; there is a natural tendency to give it an undue value in proportion to its antiquity. What is obscure in its origin warms and gratifies the imagination. What in its progress has insinuated itself into the general habits and manners of a nation becomes imbedded in the solid mass of society. It is only at distant intervals, from an aggregation of causes, that some stirring revolution breaks up the old foundations, or some mighty genius storms and overthrows the entrenchments of error.

Who would believe, if history did not record the fact, that the metaphysics of Aristotle, or rather the misuse of his metaphysics, held the human mind in bondage for two thousand years? that Galileo was imprisoned for proclaiming the true theory of the solar system? that the magnificent discoveries of Sir Isaac Newton encountered strong opposition from philosophers? that Locke's "Essay on Human Uuderstanding" found its way with infinite difficulty into the studies of the

English universities? that Lord Bacon's method of induction never reached its splendid triumphs until our day? that the doctrine of the divine right of kings and the absolute allegiance of subjects constituted nearly the whole theory of government from the fall of the Roman Republic to the seventeenth century? that Christianity itself was overlaid and almost buried for many centuries, by the dreamy comments of monks, the superstitions of fanatics, and the traditions of the Church? that it was an execrable sin throughout Christendom to read and circulate the Holy Scriptures in the vulgar tongue? Nay, that it is still a crime in some nations, of which the Inquisition would take no very indulgent notice, even if the head of the Catholic Church should not feel that Bible societies deserve his denunciation?

Even the great reformers of the Protestant Church left their work but half done, or rather came to it with notions far too limited for its successful accomplishment. They combatted errors and abuses and laid the broad foundations of a more rational faith. But they were themselves insensible to the just rights and obligations of religious inquiry. They thought all error intolerable; but they forgot in their zeal that the question, what was truth, was open to all for discussion. They assumed to themselves the very infallibility which they rebuked in the Romish Church; and as unrelentingly persecuted heresies of opinion as those who had sat for ages in the judgment-seat of St. Peter.

They allowed, indeed, that all men had a right to inquire; but they thought that all must, if honest, come to the same conclusion with themselves; that the full extent of Christian liberty was the liberty of adopting those opinions which they promulgated as true. The unrestrained right of private judgment, the glorious privilege of a free conscience, as now estab-

lished in this favored land, was farther from their thoughts even than Popery itself.

I would not be unjust to these great men. The fault was less theirs than that of the age in which they lived. They partook only of that spirit of infirmity which religion itself may not wholly extinguish in its sincere, but over-zealous votaries. It is their glory to have laid the deep, and, I trust, the imperishable foundations of Protestantism. May it be ours to finish the work as they would have done it if they had been permitted to enjoy the blessed light of these latter times. But let not Protestants boast of their justice or their charity while they continue to deny an equality of rights to the Catholics.

The progress of the spirit of free inquiry cannot escape the observation of the most superficial examiner of history. The press, by slow but firm steps, first felt its way and began its attacks upon the outworks of received opinions. One error after another silently crumbled into the dust, until success seemed to justify the boldest experiments.

Opinions in science, in physic, in philosophy, in morals, in religion, in literature, have been subjected to the severest scrutiny; and many which had grown hoary under the authority of ages have been quietly conveyed to their last home with scarcely a solitary mourner to grace their obsequies. The contest, indeed, between old and new opinions has been, and continues to be, maintained with great obstinacy and ability on all sides, and has forced even the sluggish into the necessity of thinking for themselves. Scholars have been driven to arm themselves for attack as well as for defence; and in a literary warfare, nearly universal, have been obliged to make their appeals to the living judgment of the public for protection as well as for encouragement.

The effects of this animated and free discussion have in general been very salutary. There is not a single department of life which has not been invigorated by its influence, nor a single profession which has not partaken of its success.

In jurisprudence, which reluctantly admits any new adjunct, and counts in its train a thousand champions ready to rise in defence of its formularies and technical rules, the victory has been brilliant and decisive. The civil and the common law have yielded to the pressure of the times, and have adopted much which philosophy and experience have recommended, although it stood upon no text of the Pandects and claimed no support from the feudal polity. Commercial law, at least so far as England and America are concerned, is the creation of the eighteenth century. It started into life with the genius of Lord Mansfield, and, gathering in its course whatever was valuable in the earlier institutes of foreign countries, has reflected back upon them its own superior lights, so as to become the guide and oracle of the commercial world.

If my own feelings do not mislead me, the profession itself has acquired a liberality of opinion, a comprehensiveness of argumentation, a sympathy with the other pursuits of life, and a lofty eloquence, which, if ever before, belonged to it in the best days of the best orators of antiquity. It was the bitter scoff of other times, approaching to the sententiousness of a proverb, that to be a good lawyer was to be an indifferent statesman. The profession has outlived the truth of the sarcasm. At the present moment England may count lawyers among her most gifted statesmen; and in America—I need but appeal to those who hear me, for the fact—our most eminent statesmen have been, nay, still are, the brightest ornaments of our bar.

The same improving spirit has infused itself into the body of legislation and political economy. I may not adventure upon this extensive topic. But I would for a moment advert to the more benignant character manifested in the criminal law. Harsh and vindictive punishments have been discountenanced or abolished. The sanguinary codes, over which humanity wept and philosophy shuddered, have felt the potent energy of reform, and substituted for agonizing terror the gentle spirit of mercy. America has taken the lead in this glorious march of philanthropy, under the banners of that meek sect which does good by stealth and blushes to find it fame. There are not in the code of the Union, and probably not in that of any single State, more than ten crimes to which the sober judgment of legislation now affixes the punishment of death. England, indeed, counts in her bloody catalogue more than one hundred and sixty capital offences; but the dawn of a brighter day is opening upon her. After years of doubtful struggle, the meliorations suggested by the lamented Sir Samuel Romilly have forced their way through Parliament to the throne; and an enlightened ministry is redeeming her from this reproach upon her national character.

In medicine, throughout all its branches, more extraordinary changes have taken place. Here, indeed, inductive philosophy looks for some of its fairest trophies. In anatomy, in physiology, in pharmacy, in therapeutics, instructed skill, patient observation, and accurate deduction have been substituted for vague conjecture and bold pretension. Instead of mystical compounds and nostrums and panaceas, science has introduced its powerful simples and thus given energy and certainty to practice.

We dream no longer over the favorite theories of the arts succeeding each other in endless progression.

We are content to adopt a truer course; to read nature in her operations; to compel her to give up her secrets to the expostulations of her ministers, and to answer the persevering interrogatories of her worshippers. Chemistry, by its brilliant discoveries and careful analysis, has unfolded laws which surprise us by their simplicity as well as by the extent of their operations. By its magic touch the very elements of things seem decomposed, and to stand in disembodied essences before us.

In theology a new era has commenced. From the days of Grotius almost to our own, a sluggish indifference to critical learning fastened upon most of those who administered the high solemnities of religion. Here and there, indeed, a noble spirit was seen, like Old Mortality, wiping away the ancient dust and retracing the fading lines, and in his zeal for truth undergoing almost a moral martyrdom. But the mass of professed theologians slumbered over the received text in easy security, or poured the distillations of one commentary into another, giving little improvement to the flavor and none to the substance.

They were at length roused by a spirit of another sort, which, by ridicule, or argument, or denunciation of abuses, was attempting to sap the very foundations of Christianity. It made its approaches in silence until it had attained strength enough for an open assault; and at last, in a moment of political revolution, it erected the standard of infidelity in the very centre of Christendom. Fortunately the critical studies of the scholars of the Old World enabling them to meet the difficulties of the occasion.

The immense collations of manuscripts and various readings by such men as Mill, and Wetstein, and Kennicott, prepared the way for a more profound investigation of the gen-

uineness and authenticity of the Scriptures. And the sober sense and unwearied diligence of our age have given to the principles of interpretation an accuracy and authority, to biblical researches a dignity and certainty, to practical as well as doctrinal theology a logic and illustration, unparalleled in the annals of the Church.

If Christianity has been assailed in our day with uncommon ability, it has never been defended with more various learning. If it has surrendered here and there an interpolated passage, it has placed almost beyond the reach of doubt the general integrity of the text. If it has ceased in some favored lands to claim the civil arm for its protection, it has established itself in the hearts of men by all which genius could bring to illumine, or eloquence to grace its sublime truths.

In pure mathematics and physical science there has been a correspondent advancement. The discoveries of Newton have been followed out and demonstrated by new methods and analyses to an extent which would surprise that great philosopher himself, if he were now living. I need but name such men as La Grange and La Place. By means of observatories, the heavens have been, if I may so say, circumnavigated, and every irregularity and perturbation of the motions of the heavenly bodies ascertained to depend upon the same eternal law of gravitation, and to result in the harmonious balance of forces.

But it is in physical science, and especially in its adaptation to arts of life, that the present age may claim precedence of all others. I have already alluded to chemistry, which has enabled us to fix and discharge colors with equal certainty; now to imitate the whiteness of the driven snow, and now the loveliness of the Tyrian dyes. But who can measure

the extent of the changes in agriculture, manufactures, and commerce, produced by the steam-engine of Watt, by the cotton machinery of Arkwright, by the power-looms of a later period, by the cotton-gin of Whitney, and though last, not least, by the steamboat of Fulton? When I name these, I select but a few among the inventions of our age in which nature and art minister alternately to the wants and the triumphs of man.

If in metaphysics no brilliant discoveries have rewarded the industry of its votaries, it may nevertheless be said that the laws of the mind have been investigated with no common success. They have been illustrated by a fuller display of the doctrine of association of Hartley, by the common sense of Reid, by the acute discrimination of Brown, and by the incomparable elegance of Dugald Stewart. If, indeed, in this direction any new discoveries are to be expected, it appears to me, with great deference, that they must be sought through more exact researches into that branch of physiology which respects the structure and functions of those organs which are immediately connected with the operations of the mind.

I have but glanced at most of the preceding subjects, many of which are remote from the studies which have engaged my life, and to all of which I am conscious that I am unable to do even moderate justice.

But it is to the department of general and miscellaneous literature, and, above all, of English literature, that we may look with pride and confidence. Here the genius of the age has displayed itself in innumerable varieties of form and beauty, from the humble page which presumes to teach the infant mind the first lines of thought, to the lofty works which discourse of history, and philosophy, and ethics, and

government; from the voyager who collects his budget of wonders for the amusement of the idle, to the gallant adventurer to the Pole and the scientific traveller on the Andes.

Poetry, too, has dealt out its enchantments with profuse liberality, now startling us with its visionary horrors and superhuman pageants, now scorching us with its fierce and caustic satire, now lapping us in Elysium by the side of sunny shores, or lovely lakes, or haunted groves, or consecrated ruins. It is, indeed, no exaggeration of the truth to declare that polite literature, from the light essay to the most profound disquisition, can enumerate more excellent works, as the production of the last fifty years, than of all former ages since the revival of letters. . . .

Our poetry deals less than formerly with the sentiments and feelings belonging to ordinary life. It has almost ceased to be didactic, and in its scenery and descriptions reflects too much the peculiarities and morbid visions of eccentric minds. How little do we see of the simple beauty, the chaste painting, the unconscious moral grandeur of Crabbe and Cowper? We have, indeed, successfully dethroned the heathen deities. The Muses are no longer invoked by every unhappy inditer of verse. The Naiads no longer inhabit our fountains, nor the Dryads our woods. The River Gods no longer rise, like old father Thames,

"And the hush'd waves glide softly to the shore."

In these respects our poetry is more true to nature and more conformable to just taste. But it still insists too much on extravagant events, characters, and passions, far removed from common life, and farther removed from general sympathy. It seeks to be wild, and fiery, and start-

ling; and sometimes, in its caprices, low and childish. It portrays natural scenery as if it were always in violent commotion. It describes human emotions as if man were always in ecstasies or horrors. Whoever writes for future ages must found himself upon feelings and sentiments belonging to the mass of mankind. Whoever paints from nature will rarely depart from the general character of repose impressed upon her scenery, and will prefer truth to the ideal sketches of the imagination.

Our prose too has a tendency to become somewhat too ambitious and intense. Even in newspaper discussions of the merits or misdeeds of rulers, there is a secret dread of neglect unless the page gives out the sententious pungency or sarcastic score of Junius. Familiar, idiomatic prose seems less attractive than in former times. Yet one would suppose that we might follow with safety the unaffected purity of Addison in criticism, and the graceful ease of Goldsmith in narrative. The neat and lively style of Swift loses nothing of its force by the simplicity with which it aims to put "proper words in proper places." The correspondence of Cowper is not less engaging because it utters no cant phrases, no sparkling conceits, and no pointed repartees.

But these faults may be considered as temporary, and are far from universal. There is another, however, which is more serious and important in its character, and is the common accompaniment of success. It is the strong temptation of distinguished authors to premature publication of their labors, to hasty and unfinished sketches, to fervid but unequal efforts.

He who writes for immortality must write slowly and correct freely. It is not the applause of the present day, or the deep interest of a temporary topic, or the consciousness of

great powers, or the striking off of a vigorous discourse, which will ensure a favorable verdict from posterity.

It was a beautiful remark of Sir Joshua Reynolds "that great works, which are to live and stand the criticism of posterity, are not performed at a heat." "I remember," said he, "when I was at Rome, looking at the 'Fighting Gladiator' in company with an eminent sculptor, and I expressed my admiration of the skill with which the whole is composed, and the minute attention of the artist to the change of every muscle in that momentary exertion of strength. He was of opinion that a work so perfect required nearly the whole life of man to perform."

What an admonition! What a melancholy reflection to those who deem the literary fame of the present age the best gift to posterity. How many of our proudest geniuses have written, and continue to write, with a swiftness which almost rivals the operations of the press. How many are urged on to the ruin of their immortal hopes by that public favor which receives with acclamations every new offspring of their pen. If Milton had written thus we should have found no scholar of our day, no "Christian Examiner," portraying the glory of his character with the enthusiasm of a kindred spirit. If Pope had written thus we should have had no fierce contests respecting his genius and poetical attainments by our Byrons, and Bowleses, and Roscoes. If Virgil had written thus, he might have chanted his verses to the courtly Augustus; but Marcellus and his story would have perished. If Horace had written thus, he might have enchanted gay friends and social parties; but it would never have been said of his composition, "*decies repetita placebit.*"[1]

Such are some of the considerations which have appeared

[1] "It will please though tenfold repeated."

to me fit to be addressed to you on the present occasion. It may be that I have overrated their importance, and I am not unconscious of the imperfections of my own execution of the task.

To us, Americans, nothing indeed can or ought to be indifferent that respects the cause of science and literature. We have taken a stand among the nations of the earth, and have successfully asserted our claim to political equality. We possess an enviable elevation so far as concerns the structure of our government, our political policy, and the moral energy of our institutions. If we are not without rivals in these respects we are scarcely behind any, even in the general estimate of foreign nations themselves. But our claims are far more extensive. We assert an equality of voice and vote in the republic of letters, and assume for ourselves the right to decide on the merits of others as well as to vindicate our own.

These are lofty pretensions, which are never conceded without proofs, and are severely scrutinized and slowly admitted by the grave judges in the tribunal of letters. We have not placed ourselves as humble aspirants, seeking our way to higher rewards under the guardianship of experienced guides. We ask admission into the temple of fame as joint heirs of the inheritance, capable, in the manhood of our strength, of maintaining our title.

We contend for prizes with nations whose intellectual glory has received the homage of centuries. France, Italy, Germany, England, can point to the past for monuments of their genius and skill, and to the present with the undismayed confidence of veterans. It is not for us to retire from the ground which we have chosen to occupy, nor to shut our eyes against the difficulties of maintaining it.

It is not by a few vain boasts, or vainer self-complacency, or rash daring, that we are to win our way to the first literary distinction. We must do as others have done before us. We must serve in the hard school of discipline; we must invigorate our powers by the studies of other times. We must guide our footsteps by those stars which have shone and still continue to shine with inextinguishable light in the firmament of learning. Nor have we any reason for despondency. There is that in American character which has never yet been found unequal to its purpose. There is that in American enterprise which shrinks not, and faints not, and fails not in its labors. We may say with honest pride,

> "Man is the nobler growth our realms supply,
> And souls are ripen'd in our northern sky."

We may not then shrink from a rigorous examination of our own deficiencies in science and literature. If we have but a just sense of our wants we have gained half the victory. If we but face our difficulties they will fly before us. Let us not discredit our just honors by exaggerating little attainments. There are those in other countries who can keenly search out and boldly expose every false pretension. There are those in our own country who would scorn a reputation ill-founded in fact and ill-sustained by examples. We have solid claims upon the affection and respect of mankind. Let us not jeopard them by a false shame or an ostentatious pride. The growth of two hundred years is healthy, lofty, expansive. The roots have shot deep and far; the branches are strong and broad. I trust that many, many centuries to come will witness the increase and vigor of the stock. Never, never may any of our posterity have just occasion to speak of our country in the expressiveness of Indian rhetoric, "It is an aged hemlock; it is dead at the top." . . .

There is, indeed, enough in our past history to flatter our pride and encourage our exertions. We are of the lineage of the Saxons, the countrymen of Bacon, Locke, and Newton, as well as of Washington, Franklin, and Fulton. We have read the history of our forefathers. They were men full of piety and zeal, and an unconquerable love of liberty. They also loved human learning and deemed it second only to divine. Here, on this very spot, in the bosom of the wilderness, within ten short years after their voluntary exile, in the midst of cares and privations and sufferings, they found time to rear a little school and dedicate it to God and the church. It has grown; it has flourished; it is the venerable university to whose walls her grateful children anually come with more than filial affection. The sons of such ancestors can never dishonor their memories; the pupils of such schools can never be indifferent to the cause of letters.

There is yet more in our present circumstances to inspire us with a wholesome consciousness of our powers and our destiny. We have just passed the jubilee of our independence and witnessed the prayers and gratitude of millions ascending to heaven for our public and private blessings. That independence was the achievement, not of faction and ignorance, but of hearts as pure, and minds as enlightened, and judgments as sound as ever graced the annals of mankind. Among the leaders were statesmen and scholars as well as heroes and patriots. We have followed many of them to the tomb, blest with the honors of their country. We have been privileged yet more; we have lived to witness an almost miraculous event in the departure of two great authors of our independence on that memorable and blessed day of jubilee.

I may not in this place presume to pronounce the funeral panegyric of these extraordinary men. It has been already done by some of the master-spirits of our country, by men worthy of the task, worthy as Pericles to pronounce the honors of the Athenian dead. It was the beautiful saying of the Grecian orator that "This whole earth is the sepulchre of illustrious men. Nor is it the inscriptions on the columns in their native soil alone that show their merit, but the memorial of them, better than all inscriptions, in every foreign nation, reposited more durably in universal remembrance than on their own tomb."

Such is the lot of Adams and Jefferson. They have lived, not for themselves, but for their country; not for their country alone, but for the world. They belong to history as furnishing some of the best examples of disinterested and successful patriotism. They belong to posterity as the instructors of all future ages in the principles of rational liberty and the rights of the people. They belong to us of the present age by their glory, by their virtues, and by their achievements. These are memorials which can never perish. They will brighten with the lapse of time, and, as they loom on the ocean of eternity, will seem present to the most distant generations of men. That voice of more than Roman eloquence which urged and sustained the Declaration of Independence, that voice whose first and whose last accents were for his country, is, indeed, mute. It will never again rise in defence of the weak against popular excitement and vindicate the majesty of law and justice. It will never again awaken a nation to arms to assert its liberties. It will never again instruct the public councils by its wisdom. It will never again utter its almost oracular thoughts in philosophical retirement. It will never again pour out its strains of

parental affection, and in the domestic circle give new force and fervor to the consolations of religion. The hand, too, which inscribed the Declaration of Independence is, indeed, laid low. The weary head reposes on its mother earth. The mountain winds sweep by the narrow tomb, and all around has the loneliness of desolation. The stranger-guest may no longer visit that hospitable home and find him there whose classical taste and various conversation lent a charm to every leisure hour; whose bland manners and social simplicity made every welcome doubly dear; whose expansive mind commanded the range of almost every art and science; whose political sagacity, like that of his illustrious coadjutor, read the fate and interests of nations as with a second-sight, and scented the first breath of tyranny in the passing gale; whose love of liberty, like his, was inflexible, universal, supreme; whose devotion to their common country, like his, never faltered in the worst and never wearied in the best of times; whose public services ended but with life, carrying the long line of their illumination over sixty years; whose last thoughts exhibited the ruling passion of his heart, enthusiasm in the cause of education; whose last breathing committed his soul to God and his offspring to his country.

Yes, Adams and Jefferson are gone from us forever — gone, as a sunbeam to revisit its native skies — gone, as this mortal, to put on immortality. Of them, of each of them, every American may exclaim:

> "Ne'er to the chambers where the mighty rest,
> Since their foundation, came a nobler guest,
> Nor e'er was to the bowers of bliss conveyed
> A fairer spirit or more welcome shade."

We may not mourn over the departure of such men. We should rather hail it as a kind dispensation of Providence to affect our hearts with new and livelier gratitude. They were

not cut off in the blossom of their days, while yet the vigor of manhood flushed their cheeks and the harvest of glory was ungathered. They fell not as martyrs fall, seeing only in dim perspective the salvation of their country. They lived to enjoy the blessings earned by their labors and to realize all which their fondest hopes had desired. The infirmities of life stole slowly and silently upon them, leaving still behind a cheerful serenity of mind. In peace, in the bosom of domestic affection, in the hallowed reverence of their countrymen, in the full possession of their faculties, they wore out the last remains of life, without a fear to cloud, with scarcely a sorrow to disturb its close. The joyful day of our jubilee came over them with its refreshing influence. To them, indeed, it was "a great and good day." The morning sun shone with softened lustre on their closing eyes. Its evening beams played lightly on their brows, calm in all the dignity of death. Their spirits escaped from these frail tenements without a struggle or a groan. Their death was gentle as an infant's sleep. It was a long, lingering twilight, melting into the softest shade.

Fortunate men, so to have lived, and so to have died. Fortunate to have gone hand in hand in the deeds of the Revolution. Fortunate in the generous rivalry of middle life. Fortunate in deserving and receiving the highest honors of their country. Fortunate in old age to have rekindled their ancient friendship with a holier flame. Fortunate to have passed through the dark valley of the shadow of death together. Fortunate to be indissolubly united in the memory and affections of their countrymen. Fortunate, above all, in an immortality of virtuous fame, on which history may with severe simplicity write the dying encomium of Pericles, "No citizen, through their means, ever put on mourning."

# LORD BROUGHAM

HENRY, FIRST LORD BROUGHAM AND VAUX, was born at Edinburgh in 1778. During the greater portion of a life extended to the term of ninety years he played a conspicuous part in public affairs. From his earliest youth he showed signs of extraordinary talent. When barely seven he was sent to the High School of Edinburgh, where he gained a triumph over his tutor by justifying the use of some Latin words to which exception had been taken. When he was not yet thirteen he left the school as head of the Fifth Form, and entered the University of Edinburgh, where he distinguished himself in the classical curriculum, in mathematics and in the natural sciences. In 1800 he was admitted to the Faculty of Advocates, and in 1808 was called to the English bar. Meanwhile in 1802 he had been one of the founders of the "Edinburgh Review," and in 1803 his scientific reputation was so far established that he was chosen a member of the Royal Society. He entered the House of Commons in 1810, having made a vow that he would not open his mouth for a month. He kept the vow for that month only, but three months later had acquired such a position in the House that he was regarded as a candidate for the leadership of the Liberal Opposition. In 1812 he vehemently attacked the Orders in Council which caused the war between Great Britain and the United States. He remained out of Parliament from 1812 to 1816, but, regaining a seat in the last-named year, he immediately resumed a commanding position. In 1820 he defended Queen Caroline, when a bill was brought into the House of Lords for her deposition and for the dissolution of her marriage. The victory which he gained on this occasion over the Court and the Ministry raised him to the pinnacle of fame. Thenceforward his practice at the bar rose to about £7,000 a year. In 1825 Brougham started the movement which led to the establishment of the University of London, and in 1828 he delivered his great speech on "Law Reform." When the Whigs were at last called upon in 1830 to form a government he was appointed Lord Chancellor, and took his seat upon the woolsack as Baron Brougham and Vaux. Although he had to work hard to master the principles of equity, he proved an able and just judge, and, if few of his decisions are cited as landmarks, still fewer of them have been overruled. To him, in his capacity of politician, was largely due the passage of the first Reform Act. He also took an active part in overthrowing the Peel Cabinet, which succeeded Lord Melbourne's first Ministry, but, when the Whigs returned to power in 1835, the

leaders, with one accord, resolved to exclude Brougham from office. For more than thirty years after his fall he continued to participate in the judicial business and debates of the Upper House, but it might have been better for his fame if he had not so long outlived the days of his glory. He died at Cannes in France in 1868.

## AGAINST PITT AND WAR WITH AMERICA

DELIVERED AT LIVERPOOL, FRIDAY, OCTOBER 8, 1812

GENTLEMEN, I told you last night when we were near the head of the poll, that I, for one at least, would neither lose heart in the conflict, nor lower my courage in fighting your battles, nor despair of the good cause, although we should be fifty, a hundred, or even two hundred behind our enemies. It has happened this day that we have fallen short of them, not quite by two hundred, but we have lost one hundred and seventy votes. I tell you this with the deepest concern, with feelings of pain and sorrow which I dare not trust myself in attempting to express. But I tell it you without any sensation approaching to despondency. This is the only feeling which I have not now present in my breast. I am overcome with your unutterable affection toward me and my cause. I feel a wonder mingled with gratitude, which no language can even attempt to describe, at your faithful, unwearied, untamable exertions in my behalf of our common object. I am penetrated with an anxiety for its success, if possible more lively than any of yourselves can know who are my followers in this mighty struggle—an anxiety cruelly increased by that which as yet you are ignorant of, though you are this night to hear it. To my distinguished friends who surround me, and connect me more closely with you, I am thankful beyond all expres-

sion. I am lost in admiration of the honest and courageous men among you who have resisted all threats as well as bribes, and persevered in giving me their free unbought voices. For those unhappy persons who have been scared by imminent fear on their own and their children's behalf from obeying the impulse of their conscience, I feel nothing of resentment—nothing but pity and compassion. Of those who have thus opposed us, I think as charitably as a man can think in such circumstances. For this great town (if it is indeed to be defeated in the contest, which I will not venture to suppose), for the country at large whose cause we are upholding—whose fight we are fighting—for the whole manufacturing and trading interests—for all who love peace—all who have no profit in war—I feel moved by the deepest alarm lest our grand attempt may not prosper. All these feelings are in my heart at this moment—they are various, they are conflicting, they are painful, they are burdensome, but they are not overwhelming, and among them all—and I have swept round the whole range of which the human mind is susceptible—there is not one that bears the slightest resemblance to despair. I trust myself once more in your faithful hands; I fling myself again on you for protection; I call aloud to you to bear your own cause in your hearts; I implore of you to come forth in your own defence, for the sake of this vast town and its people, for the salvation of the middle and lower orders, for the whole industrial part of the whole country; I entreat you by your love of peace, by your hatred of oppression, by your weariness of burdensome and useless taxation, by yet another appeal to which those must lend an ear who have been deaf to all the rest; I ask it for your families, for your infants, if you would

avoid such a winter of horrors as the last. It is coming fast upon us; already it is near at hand; yet a few short weeks and we may be in the midst of those unspeakable miseries, the recollection of which now rends your very souls. If there is one freeman among this immense multitude who has not tendered his voice, and if he can be deaf to this appeal, if he can suffer the threats of our antagonists to frighten him away from the recollection of the last dismal winter, that man will not vote for me. But if I have the happiness of addressing one honest man among you, who has a care left for his wife and children, or for other endearing ties of domestic tenderness (and which of us is altogether without them?), that man will lay his hand on his heart when I now bid him to do so, and with those little threats of present spite ringing in his ear, he will rather consult his fears of greater evil by listening to the dictates of his heart, when he casts a look toward the dreadful season through which he lately passed, and will come bravely forward to place those men in Parliament whose whole efforts have been directed toward the restoration of peace and the revival of trade.

Do not, gentlemen, listen to those who tell you the cause of freedom is desperate; they are the enemies of that cause and of you, but listen to me—and I am one who has never yet deceived you—I say, then, that it will be desperate if you make no exertions to retrieve it. I tell you that your language alone can betray it, that it can only be made desperate through your despair. I am not a man to be cast down by temporary reverses, let them come upon me as thick and as swift and as sudden as they may. I am not he who is daunted by majorities in the outset of a struggle for worthy objects—else I should

not now stand here before you to boast of triumphs won in your cause. If your champions had yielded to the force of numbers, of gold, of power—if defeat could have dismayed them, then would the African slave trade never have been abolished, then would the cause of reform, which now bids fair to prevail over its enemies, have been long ago sunk amid the desertions of its friends; then would those prospects of peace have been utterly benighted, which I still devoutly cherish, and which even now brighten in our eyes; then would the Orders in Council which I overthrew by your support, have remained a disgrace to the British name, and an eternal obstacle to our best interests. I no more despond now than I have done in the course of those sacred and glorious contentions, but it is for you to say whether to-morrow shall not make it my duty to despair. To-morrow is your last day; your last efforts must then be made; if you put forth your strength the day is your own; if you desert it, it is lost. To win it, I shall be the first to lead you on and the last to forsake you.

Gentlemen, when I told you a little while ago that there were new and powerful reasons to-day for ardently desiring that our cause might succeed, I did not sport with you; yourselves shall now judge of them. I ask you—Is the trade with America of any importance to this great and thickly peopled town? [Cries of, "Yes, yes!"] Is a continuance of the rupture with America likely to destroy that trade? [Loud cries of, "It is, it is!"] Is there any man who would deeply feel it, if he heard that the rupture was at length converted into open war? Is there a man present who would not be somewhat alarmed if he supposed that we should have another

year without the American trade? Is there any one of nerves so hardy, as calmly to hear that our government has given up all negotiation, abandoned all hopes of speedy peace with America? Then I tell that man to brace up his nerves; I bid you all be prepared to hear what touches you all equally. We are by this day's intelligence at war with America in good earnest; our government has at length issued letters of marque and reprisal against the United States. [Universal cries of, "God help us, God help us!"] Aye, God help us! God of his infinite compassion take pity on us! God help and protect this poor town, and this whole trading country!

Now I ask you whether you will be represented in Parliament by the men who have brought this grievous calamity on your heads, or by those who have constantly opposed the mad career which was plunging us into it? Whether you will trust the revival of your trade—the restoration of your livelihood—to them who have destroyed it, or to me whose counsels, if followed in time, would have averted this unnatural war, and left Liverpool flourishing in opulence and peace? Make your choice, for it lies with yourselves which of us shall be commissioned to bring back commerce and plenty—they whose stubborn infatuation has chased those blessings away, or we, who are only known to you as the strenuous enemies of their miserable policy, the fast friends of your best interests.

Gentlemen, I stand up in this conquest against the friends and followers of Mr. Pitt, or, as they partially designate him, the immortal statesman, now no more. Immortal in the miseries of his devoted country! Immortal in the wounds of her bleeding liberties! Immor-

tal in the cruel wars which sprang from his cold miscalculating ambition! Immortal in the intolerable taxes, the countless loads of debt which these wars have flung upon us—which the youngest man among us will not live to see the end of! Immortal in the triumph of our enemies, and the ruin of our allies, the costly purchase of so much blood and treasure! Immortal in the afflictions of England, and the humiliations of her friends, through the whole results of his twenty years' reign, from the first rays of favor with which a delighted court gilded his early apostasy, to the deadly glare which is at this instant cast upon his name by the burning metropolis of our last ally. But may no such immortality ever fall to my lot; let me rather live innocent and inglorious; and when at last I cease to serve you, and to feel for your wrongs, may I have a humble monument in some nameless stone, to tell that beneath it there rests from his labors in your service "an enemy of the immortal statesman —a friend of peace and of the people."

Friends, you must now judge for yourselves, and act accordingly. Against us and against you stand those who call themselves the successors of that man. They are the heirs of his policy; and if not of his immortality, too, it is only because their talents for the work of destruction are less transcendent than his. They are his surviving colleagues. His fury survives in them, if not his fire; and they partake of all his infatuated principles, if they have lost the genius that first made those principles triumphant. If you choose them for your delegates you know to what policy you lend your sanction—what men you exalt to power. Should you prefer me, your choice falls upon one who, if obscure and unambitious, will at least

give his own age no reason to fear him, or posterity to curse him—one whose proudest ambition it is to be deemed the friend of liberty and of peace.

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## CLOSING ARGUMENT FOR QUEEN CAROLINE

MY LORDS, I have another remark to make before I leave this case. I have heard it said by some acute sifters of evidence: "Oh! you have damaged the witnesses, but only by proving falsehoods, by proving perjury, indeed, in unimportant particulars." I need but remind your lordships that this is an observation which can only come from the lay part of the community. Any lawyer at once will see how ridiculous, if I may so speak, such an objection must always be. It springs from an entire confusion of ideas, a heedless confounding together of different things. If I am to confirm the testimony of an accomplice—if I am to set up an informer—no doubt my confirmation ought to extend to matters connected with the crime—no doubt it must be an important particular, else it will avail me nothing to prove it by way of confirmation. But it is quite the reverse in respect to pulling down a perjured witness, or a witness suspected of swearing falsely. It is quite enough if he perjure himself in any part to take away all credit from the whole of his testimony. Can it be said that you are to pick and choose; that you are to believe in part and reject the rest as false? You may, indeed, be convinced that a part is true, notwithstanding other parts are false—provided these parts are not falsely and wilfully

sworn to by the witness, but parts which he may have been ignorant of, or may have forgotten, or may have mistaken. In this sense, you may choose—culling the part you believe and separating the part you think contradicted. But if one part is not only not true—is not only not consistent with the fact, but is falsely and wilfully sworn to on his part—if you are satisfied that one part of his story is an invention, to use the plain word, a lie, and that he is a forsworn man—good God! my lords, what safety is there for human kind against the malice of their enemies—what chance of innocence escaping from the toils of the perjured and unprincipled conspirator, if you are to believe part of a tale, even though ten witnesses swear to it, all of whom you convict of lying and perjury in some other part of the story? I only pray your lordships to consider what it is that forms the safeguard of each and every one of you against the arts of the mercenary or the spiteful conspirator. Suppose any one man—and let each of your lordships lay this to his mind before you dismiss the mighty topic—suppose any one of your lordships were to meet with a misfortune, the greatest that can befall a human being, and the greater in proportion as he is of an honorable mind, whose soul is alien even to any idea or glance of suspicion of such a case being possible to himself, whose feelings shudder at the bare thought of his name even being accidentally coupled with a charge at which his nature revolts—suppose that mischance, which has happened to the best and purest of men, which may happen to any of you to-morrow, and which, if it does happen, must succeed against you to-morrow, if you adopt the principle I am struggling against—suppose any one of your lordships charged by a mere mercenary scoun-

drel with the perpetration of a crime at which we show in this country our infinite horror, by almost, and with singular injustice, considering the bare charge to stand in place of proof—suppose this plot laid to defame the fairest reputation in England—I say, that reputation must be saved, if escape it may, only by one means. No perjury can be expected to be exposed in the main, the principal part of the fabric; that can be easily defended from any attack against it; all the arts of the defendant's counsel, and all his experience, will be exhausted in vain: the plotter knows full well (as these conspirators have here done) how to take care that only one person shall swear to a fact—to lay no others present—to choose the time and select the place when contradiction cannot be given, by knowing the time and the place where any one of your lordships, whom he marks for his prey, may have chanced to be alone at any moment of time. Contradiction is not here to be expected—refutation is impossible. Prevarication of the witness upon the principal part of his case, beyond all doubt, by every calculation of chances, there will not be. But you will be defended by counsel; and the court before whom you are tried will assuredly have you acquitted, if the villain, who has immovably told a consistent, firm tale (though not contradicted, though not touched, upon the story itself), tells the least falsehood upon the most unimportant particulars on which your advocate shall examine him. My lords, I ask for the Queen no other justice than this upon which you rely, and must needs rely, for your own escape from the charge of such crimes! I desire she may have no other safety than that which forms the only safety to any of your lordships in such cases, before any court that deserved the name of a

court of justice, where it might be your lot to be dragged and tried!

I am told that the sphere of life in which Bergami, afterward promoted to be the Queen's chamberlain, originally moved, compared with the fortune which has since attended him in her service, is of itself matter of suspicion. I should be sorry, my lords, to have lived to see the day when nothing more was required to ruin any exalted character in this free country than the having shown favor to a meritorious servant, by promoting him above his rank in society, the rank of his birth. It is a lot which has happened to many a great man—which has been that of those who have been the ornaments of their country. God forbid that we should ever see the time when all ranks, all stations in this community, except the highest, were not open to all men, and that we should ever reckon it of itself a circumstance even of suspicion in any person (for neither sex can be exempt from an inference of such a nature if it is once made general and absolute) that he has promoted an inferior to be his equal! Let me, however, remind your lordships, that the rapidity of the promotion of Bergami has been greatly overstated; and the manner in which it took place is a convincing proof that the story of love having been the cause of it is inconsistent with the fact. Now, this I state, from a distinct recollection of the dates in the evidence before you. Believe Majocchi or Demont, and three weeks after Bergami's arrival in the household he was promoted to the Queen's bed. How was it with respect to her board? Because, after that, he continued in the situation of courier; he dined with the servants, and lived not even with the chamberlains; certainly not with those gentlemen, for they

were at her table, as usual. He continued to dine with the servants at Genoa; there, withstanding Majocchi's story, it is proved to your lordships that he did not dine with her Majesty. He continued as courier, even after he had once sat at her Majesty's table by accident, by one of the accidents usual in travelling. It appears even in the evidence (believing it to be true) that the Queen sat at the table where he was for the space of one day. He, however, continued as courier; and it was only on the eve of the long voyage that he was admitted to her table, commencing with the journey to Mount St. Gothard. He continued in his situation as courier, still in livery, until, by degrees, he was promoted, first to travel in a carriage of his own, instead of riding on horseback. Then he was promoted occasionally to sit at the same table with the Queen, and at last he was appointed a chamberlain generally. My lords, this is not consistent with the story told of Naples. Show me the woman, particularly the amorous, the imprudent, the insane woman her Majesty is described to be by those perjured witnesses, who would have allowed her paramour, after indulging in all the gratifications described at Naples, for weeks and months, to continue for months, and almost for years, in an apparent menial capacity! My lords, this is not the rapidity of pace with which love promotes his favorite votaries; it much more resembles the sluggish progress with which merit wends its ways in the world, and in courts. He was a man of merit, as you will hear in evidence—if you put me on calling any. He was not of the low origin he has been described to be. He was a person whose father held the situation of a landed proprietor, though of moderate income, in the north of Italy. He had got into difficulties

as has happened to many of the Italian gentry of late years; and his son, if I mistake not, had sold the family estate in order to pay his father's debts. He was reduced —but he was a reduced gentleman. When he was in the service of General Pino, he was recognized as such. The general repeatedly favored him as such: he has dined at his table, General Pino being the commander-in-chief in the Milanese. He thus sat at the table of an Italian noble in the highest station. He has dined at his table during the Spanish campaigns. He was respected in his station— he was esteemed by those whom he served at that time. They encouraged him, as knowing his former pretensions and his present merits; and when he was hired, he was proposed by a gentleman who desired to befriend and promote him, an Austrian nobleman, then living in Italy, in the Austrian service—he was proposed to the Queen's chamberlain as a courier, there being a vacancy, and was hired without the knowledge of her Majesty, and before she had even seen him. The Austrian nobleman, when he offered him as a courier, said he fairly confessed he hoped, if Bergami behaved well, he might be promoted, because he was a man whose family had seen better days, because he was a faithful servant, and because he had ideas belonging rather to his former than to his present situation. It was almost a condition of his going, that he should go for the present as courier, with the expectation of soon filling some other and higher place.

I do not dwell on this, my lords, as of any importance to the case; for whether I shall think it necessary to prove what I have just stated or not, I consider that I have already disposed of the case in the comments which I have made upon the evidence, and in the appeal which

I have made to the general principles of criminal justice. But, as the conduct of her Majesty has been so unsparingly scrutinized, and as it is important to show that not even impropriety existed, where I utterly defy guilt to be proved, I thought it requisite to dwell on this prominent feature in the cause. If the Queen had frequented companies below her station—if she had lowered her dignity—if she had followed the courses which, though not guilty ones, might be deemed improper in themselves and inconsistent with her high station—if she had been proved guilty of any unworthiness, I could have trod upon high ground still. But I have no occasion to occupy it. I say, guilt there is none—levity there is none—unworthiness there is none. But, if there had been any of the latter, while I dared her accusers to the proof of guilt, admitting levity and even indecorum, I might still have appealed to that which always supports virtue in jeopardy, the course of her former life at home, among her own relations, before she was frowned upon here—while she had protection among you—while she had the most powerful of all protection, that of our late venerable monarch. I hold in my hand a testimonial—which cannot be read, and which I am sure will not be weighed, without the deepest sense of importance; above all, without a feeling of sorrow when we reflect upon the reign that has passed, and compare it with the rule we live under. It is a melancholy proof—more melancholy because we no longer have him who furnishes it among us—but it is a proof how that illustrious sovereign viewed her, whom he knew better than all others—whom he loved more than all the rest of her family did—even than those upon whose affection she had a greater claim; nay, whom he

loved better than he did almost any child of his own. The plainness, the honesty, the intelligible and manly sense of this letter are such that I cannot refrain from the gratification of reading it. It was written in 1804:

WINDSOR CASTLE, *Nov. 13, 1804*

MY DEAREST DAUGHTER-IN-LAW AND NIECE—Yesterday I and the rest of my family had an interview with the Prince of Wales at Kew. Care was taken on all sides to avoid all subjects of altercation or explanation, consequently the conversation was neither instructive nor entertaining; but it leaves the Prince of Wales in a situation to show whether his desire to return to his family is only verbal or real (a difference which George III. never knew, except in others), which time alone can show. I am not idle in my endeavors to make inquiries that may enable me to communicate some plan for the advantage of the dear child you and I, with so much reason, must interest ourselves in, and its effecting my having the happiness of living more with you is no small incentive to my forming some ideas on the subject; but you may depend on their being not decided upon without your thorough and cordial concurrence, for your authority as mother it is my object to support.

Believe me at all times, my dearest daughter-in-law and niece,

Your most affectionate father-in-law and uncle,

GEORGE R.

Such, my lords, was the opinion which this good man, not ignorant of human affairs, no ill judge of human character, had formed of this near and cherished relation, and upon which, in the most delicate particulars, the care of his granddaughter and the heir of his crown, he honestly, really, and not in mere words, always acted.

I might now read to your lordships a letter from his illustrious successor, not written in the same tone of affection—not indicative of the same feelings of regard—but by no means indicative of any want of confidence, or at least of any desire harshly to trammel his royal consort's conduct. I allude to a letter which has been so often before your lordships in other shapes, that I may not think it necessary to repeat it here. It is a permission to live apart, and a desire never to come together again; the expression of an opinion that their happiness was better consulted and pursued asunder; and a very plain indication that her Majesty's conduct should at least not be watched with all the scrupulousness, all the rigor, all the scrutinizing agency which has resulted in bringing the present Bill of Pains and Penalties before your lordships. [Cries of "Read, read!" Mr. Brougham accordingly read the letter, as follows:]

WINDSOR CASTLE, *April 30, 1796*

MADAM—As Lord Cholmondely informs me that you wish I would define, in writing, the terms upon which we are to live, I shall endeavor to explain with as much clearness and with as much propriety as the nature of the subject will admit. Our inclinations are not in our power, nor should either of us be held answerable to the other, because nature has not made us suitable to each other. Tranquil and comfortable society is, however, in our power; let our intercourse, therefore, be restricted to that, and I will distinctly subscribe to the condition which you required, through Lady Cholmondely, that even in the event of any accident happening to my daughter, which I trust Providence in its mercy will avert, I shall not infringe the terms of the restriction, by proposing at any period a connection of more particular nature. I shall finally close this disagreeable correspondence, trusting that, as we have com-

pletely explained ourselves to each other, the rest of our lives will be passed in uninterrupted tranquillity. I am, madam, with great truth, very sincerely yours,

GEORGE P.

My lords, I do not call this, as it has been termed, a Letter of License; such was the term applied to it, on the former occasion, by those who are now, unhappily for the Queen, no more—those who were the colleagues and coadjutors of the present Ministers—but I think it such an epistle as would make it a matter of natural wonderment to the person who received it that her conduct should ever after—and especially the more rigorously the older the parties were growing—become the subject of the most unceasing and unscrupulous watching, prying, spying, and investigation.

Such then, my lords, is this case. And again let me call on you, even at the risk of repetition, never to dismiss for a moment from your minds the two great points upon which I rest my attack upon the evidence—first, that the accusers have not proved the facts by the good witnesses who were within their reach, whom they had no shadow of pretext for not calling; and secondly, that the witnesses whom they have ventured to call are, every one of them, irreparably damaged in their credit. How, I again ask, is a plot ever to be discovered, except by the means of these two principles? Nay, there are instances in which plots have been discovered, through the medium of the second principle, when the first had happened to fail. When venerable witnesses have been brought forward—when persons above all suspicion have lent themselves for a season to impure plans—when no escape for the guiltless seemed open, no chance of safety to remain—they have

almost providentially escaped from the snare by the second of those two principles; by the evidence breaking down where it was not expected to be sifted; by a weak point being found, where no provision, from the attack being unforeseen, had been made to support it. Your lordships recollect that great passage—I say great, for it is poetically just and eloquent, even were it not inspired—in the Sacred Writings, where the Elders had joined themselves in a plot which appeared to have succeeded "for that," as the Book says, "they had hardened their hearts, and had turned away their eyes, that they might not look at heaven, and that they might do the purposes of unjust judgment." But they, though giving a clear, consistent, uncontradicted story, were disappointed, and their victim was wrested from their grip, by the trifling circumstance of a contradiction about a tamarisk tree. Let not man call those contradictions or those falsehoods which false witnesses swear to from needless and heedless falsehood, such as Sacchi about his changing his name—or such as Demont about changing her letters—such as Majocchi about the banker's clerk—or such as all the other contradictions and falsehoods not going to the main body of the case, but to the main body of the credit of the witnesses—let no man rashly and blindly call these accidents. They are just rather than merciful dispensations of that Providence which wills not that the guilty should triumph, and which favorably protects the innocent!

Such, my lords, is the case now before you! Such is the evidence in support of this measure—evidence inadequate to prove a debt; impotent to deprive of a civil right; ridiculous to convict of the lowest offence; scandalous if brought forward to support a charge of the highest nature

which the law knows; monstrous to ruin the honor, to blast the name of an English Queen! What shall I say, then, if this is the proof by which an act of judicial legislation, a parliamentary sentence, an *ex post facto* law, is sought to be passed against this defenceless woman? My lords, I pray you to pause. I do earnestly beseech you to take heed! You are standing on the brink of a precipice —then beware! It will go forth as your judgment, if sentence shall go against the Queen. But it will be the only judgment you ever pronounced, which, instead of reaching its object, will return and bound back upon those who give it. Save the country, my lords, from the horrors of this catastrophe; save yourselves from this peril; rescue that country, of which you are the ornaments, but in which you can flourish no longer, when severed from the people, than the blossom when cut off from the roots and the stem of the tree. Save that country, that you may continue to adorn it; save the crown, which is in jeopardy; the aristocracy which is shaken; save the altar, which must stagger with the blow that rends its kindred throne! You have said, my lords, you have willed—the Church and the King have willed—that the Queen should be deprived of its solemn service! She has, instead of that solemnity, the heartfelt prayers of the people. She wants no prayers of mine. But I do here pour forth my humble supplications at the throne of mercy, that that mercy may be poured down upon the people, in a larger measure than the merits of its rulers may deserve, and that your hearts may be turned to justice!

## SPEECH ON NEGRO EMANCIPATION

[When the House of Lords assembled on February 20, 1838, Lord Brougham, in a speech of singular power and earnestness, introduced this motion: "That an humble address be presented to her Majesty, earnestly beseeching her Majesty to take immediate steps for negotiating with the governments of Spain and Portugal, and obtaining the concurrence of the governments of France and the United States in such negotiations, with a view to declare the trade in slaves piracy, wherever the same is carried on; and making those who carry it on liable to all the pains and consequences of piracy." Anticipating a mass-meeting in Exeter Hall, he also spoke at great length in favor of the abolition of negro apprenticeship.]

I DO NOT think, my lords, that ever but once before in the whole course of my public life have I risen to address either House of Parliament with the anxiety under which I labor at this moment. The occasion to which alone I can liken the present was when I stood up in the Commons to expose the treatment of that persecuted missionary whose case gave birth to the memorable debate upon the condition of our negro brethern in the colonies — a debate happily so fruitful of results to the whole of this great cause.

But there is this difference between the two occasions to sustain my spirits now, that whereas at the former period the horizon was all wrapped in gloom through which not a ray of light pierced to cheer us we have now emerged into a comparatively bright atmosphere and are pursuing our journey full of hope. For this we have mainly to thank that important discussion and those eminent men who bore in it so conspicuous a part. And now I feel a greater gratification in being the means of enabling your lordships, by sharing in this great and glorious work, nay, by leading the way towards its final accomplishment, to increase the esteem in which you are held by your fellow citizens; or if, by any differences of opinion on recent measures, you may unhappily have lost any por-

tion of the public favor, I know of no path more short, more sure, or more smooth, by which you may regain it. But I will not rest my right to your co-operation upon any such grounds as these. I claim your help by a higher title. I rely upon the justice of my cause — I rely upon the power of your consciences — I rely upon your duty to God and to man — I rely upon your consistency with yourselves — and, appealing to your own measure of 1833, if you be the same men in 1838, I call upon you to finish your own work and give at length a full effect to the wise and Christian principles which then guided your steps.

I rush at once into the midst of this great argument — I drag before you once more, but I trust for the last time, the African slave trade, which I lately denounced here, and have so often elsewhere. On this we are all agreed. Whatever difference of opinion may exist on the question of slavery, on the slave traffic there can be none. I am now furnished with a precedent which may serve for an example to guide us. On slavery we have always held that the colonial legislature could not be trusted; that, to use Mr. Canning's expression, you must beware of allowing the masters of slaves to make laws upon slavery. But upon the detestable traffic in slaves I can show you the proceeding of a colonial assembly which we should ourselves do well to adopt after their example. These masters of slaves, not to be trusted on that subject, have acted well and wisely on this. The legislature of Jamaica, owners of slaves, and representing all other slave-owners, feel that they also represent the poor negroes themselves; and they approach the throne, expressing themselves thankful — tardily thankful, no doubt — that the traffic has been for thirty years put down in our own colonies, and beseeching the sovereign to consummate the great work by the only effectual

means — of having it declared piracy by the law of nations, as it is robbery and piracy and murder by the law of God! This address is precisely that which I desire your lordships to present to the same gracious sovereign. After showing how heavily the foreign slave trade presses upon their interests, they take higher ground in this remarkable passage:

"Nor can we forego the higher position as a question of humanity; representing all classes of the island, we consider ourselves entitled to offer to your Majesty our respectful remonstrance against the continuance of this condemned traffic in human beings. As a community composed of the descendants of Africa as well as Britain, we are anxious to advance the character of the country, and we therefore entreat your Majesty to exert your interest with foreign powers to cause this trade at once to be declared piracy, as the only effectual means of putting it down, and thereby to grace the commencement of your auspicious reign."

My lords, I will not stop to remind the lawgivers of Jamaica why it is that the slave traffic is a crime of so black a dye. I will not remind them that if slavery were no more the trade in slaves must cease; that if the West Indies were like England, peopled with free men and cultivated only by free hands, where no man can hold his fellow creature in bondage and the laborer cannot be tormented by his masters; if, the cart-whip having happily been destroyed, the doors of the prison-house were also flung open, and chains and bolts and collars were unknown, and no toil endured but by the workmen's consent, nor any effort extorted by dread of punishment; the traffic which we justly call, not a trade, but a crime, would no longer inflict the miseries with which it now loads its victims, who, instead of being conveyed to a place of torture and misery, would be carried into a land of liberty and enjoyment. Nor will I now pause to consider the wishes of some colonies, in part, I am grieved to say, granted by the

government, that the means should be afforded them of bringing over what they call laborers from other parts of the globe, to share in the sufferings of slavery, hardly mitigated under the name of apprenticeship. That you should ever join your voices with them on this matter is a thing so out of the question that I will not detain you with any other remark upon it.

But so neither have I any occasion to go at present into the subject of the slave trade altogether, after the statements which I lately made in this place upon the pernicious effects of our head-money, the frightful extent of the negro traffic, and the horrible atrocities which mark its course still more awfully now than before. In order to support my claim upon your lordships for the measure which alone can extirpate such enormities, I need but refer you to these statements. Since I presented them here, they have been made public, indeed, promulgated all over the kingdom, and they have met with no contradiction, nor excited the least complaint in any quarter, except that many have said the case was understated; and that in one place, and only in one, I have been charged with exaggeration.

I have read with astonishment and I repel with scorn the insinuation that I had acted the part of an advocate, and that some of my statements were colored to serve a cause. How dares any man so to accuse me? How dares any one, skulking under a fictitious name, to launch his slanderous imputations from his covert? I come forward in my own person. I make the charge in the face of day. I drag the criminal to trial. I openly call down justice on his head. I defy his attacks. I challenge investigation. How dares any concealed adversary to charge me as an advocate speaking from a brief, and misrepresenting the facts to serve a purpose?

But the absurdity of this charge even outstrips its malice.

I stated that the negroes were thrown overboard in pairs during a chase, to lighten the ship and enable her to escape — thrown overboard in fetters, that they might sink, and not be witnesses against the murderers. The answer is that this man, if man he be, had been on board slave-ships and never seen such cruelties. I stated that the fetters were not locked, but riveted in the forge. The answer is that the writer had been on board of slave-ships and seen fetters which are locked, and not riveted.

How dares any man deny a statement made upon authority, referred to by name, on such a trumpery story as this?

As well might he argue that a murder sworn to by fifty or a hundred credible witnesses had never been committed because someone came forward and said he had not seen it done. Did I not give the particulars? Did I not avouch my authority? Did I not name the gallant officer from whose official report, printed and published, my account was taken? Did I not give the respected name of Commodore Hayes, one of the best-esteemed officers in her Majesty's service? I, indeed, understated the case in many particulars.

But, my lords, if I have not been chargeable with exaggeration — if all who took part in the former debate, whether in or out of office, agreed in acquitting me of that — so neither shall I be charged for the future with understating the atrocities of the case. What I then withheld I will now tell — and not keeping back my authority now any more than I did before, I appeal to my noble friend near me [Lord Sligo] for the truth of the appalling story, himself a planter and an owner of slaves. I ask him if he did not know a vessel brought in with a cargo of 180 or 200 wretched beings, jammed into a space three feet and a half in height. [Lord Sligo—"Two and a half."]

There, my lords, I am understating again. Into that space of two feet and a half between the decks, that number of miserable creatures were jammed, like inanimate lumber, certainly in a way in which no Christian man would crowd dumb animals.

My noble friend will say whether or not that vessel, whose slaves had never been released, or even washed, or in any way cleansed, since it left the African coast, presented an intolerable nuisance to all the senses — a nuisance unfit for any description. Nor is this all. I will be chargeable with understatements no more!

The ophthalmia had broken out among the poor creatures thus kept in unspeakable torment; and as often as any one was seized, instead of affording him any medical or other assistance, he was instantly cast overboard and sunk in his chains, with the view of stopping the infection.

I will understate things no more! I said before that as many as 700 slaves were carried across the sea in one ship; there I stopped, for to those who know what a slave-ship is, this suffices to harrow up every feeling of the soul. But another vessel brought away, first and last, in one voyage, 980 miserable, unoffending, simple beings; and of this number, without any chase or accident, or violence, or any acts of wholesale murder such as those we have been contemplating, 600 perished on the voyage, through the hardships and sufferings inseparably connected with this execrable traffic. Of 2,300 or 2,400 carried away by four other ships, no less than 1,500 perished in like manner, having fallen a sacrifice to the pestilential hold.

How this enormous crime of these foreign nations is to be rooted out, I know full well. You must no longer treat it as a mere contraband trade — no longer call murder smuggling, or

treat pirates as offenders against the revenue laws. As long as our slave-traders were so dealt with, they made this calculation:

"If we can escape three times in four, our profits are so large that the seizure and confiscation can well be afforded; nay, if we are taken as often as we escape,—the ships netting £20,000, £30,000, even as much as £50,000 and £60,000 a voyage,—we can well afford to lose £1,500 or £2,000 when the adventure fails."

So they ran the risk, and on a calculation of profit and loss were fully justified. But I had in 1811 the singular happiness of laying the axe to the root of this detestable system. I stopped all these calculations by making the trade felony, and punishing it as such; for well I knew that they who would run the risk of capture, when all they could suffer by it was a diminution of their profits, would be slow to put their heads in the noose of the halter which their crimes so richly deserved.

The measure passed through all its stages in both Houses without one dissenting voice; and I will venture to assert that ever since, although English capital, I have too much reason to think, finds its way into the foreign slave trade, no Englishman is concerned directly with it in any part of the world. Trust me, the like course must be taken if we would put an end to the same crimes in other countries; piracy and murder must be called by their right names and visited with their appropriate penalties. That the Spanish and Portugese traders now make the same calculations which I have been describing, is a certain fact.

I will name one—Captain Inza, of the ship "Socorra," who, on being captured, had the effrontery to boast that he had made fourteen slave voyages, and that this was the first time

he had been taken. Well might he resolve to run so slight a risk for such vast gains; but had the fate of a felon pirate awaited him, not all the gains which might tempt his sordid nature would have prevailed upon him to encounter that hazard. I formerly recounted instances of murder done by wholesale in the course of the chase of our cruisers.

I might have told a more piteous tale, and I will no longer be accused of understating this part of the case either. Two vessels were pursued. One after another, negroes were seen to be thrown overboard to the number of a hundred and fifty, of all ages,—the elder and stronger ones loaded with their fetters to prevent them from swimming or floating, the weaker were left unchained to sink or expire; and this horrible spectacle was presented to the eyes of our cruisers' men; they saw, unable to lend any help, the water covered with these hapless creatures, the men sinking in their chains; the women and — piteous sight! — the infants and children struggling out their little strength in the water till they, too, were swallowed up and disappeared.

I now approach a subject, not, indeed, more full of horrors or of greater moment, but on which the attention of the people has for some time past been fixed with an almost universal anxiety, and for your decision upon which they are now looking with the most intense interest,— let me add, with the liveliest hopes.

I need not add that I mean the great question of the condition into which the slaves of our colonies were transferred as preparatory to their complete liberation — a subject upon which your table has been loaded with so many petitions from millions of your fellow countrymen. It is right that I should first remind your lordships of the anxious apprehensions which were entertained in 1833, when the act was passed, because a

comparison of those fears with the results of the measure will form a most important ingredient of the argument which I am about to urge for the immediate liberation of the apprentices.

I well remember how uneasy all were looking forward to the 1st of August, 1834, when the state of slavery was to cease, and I myself shared in those feelings of alarm when I contemplated the possible event of the vast but yet untried experiment. My fears proceeded first from the character of the masters. I knew the nature of man, fond of power, jealous of any interference with its exercise, uneasy at its being questioned, offended at its being regulated and constrained, averse, above all, to have it wrested from its hands, especially after it has been long enjoyed and its possession can hardly be severed from his nature.

But I also was aware of another and a worse part of human nature. I knew that whoso has abused power clings to it with a yet more convulsive grasp. I dreaded the nature of man, prone to hate whom he has injured; because I knew that law of human weakness which makes the oppressor hate his victim, makes him who has injured never forgive, fills the wrongdoer with vengeance against those whose right it is to indicate those injuries on his own head.

I knew that this abominable law of our evil nature was not confined to different races, contrasted hues, and strange features, but prevailed also between white man and white — for I never yet knew any one hate me but those whom I had served, and those who had done me some grievous injustice. Why then should I expect other feelings to burn within the planter's bosom, and govern his conduct towards the unhappy beings who had suffered so much and so long at his hands? But, on the part of the slaves, I was not without some anxiety,

when I considered the corrupting effects of that degrading system under which they had for ages groaned, and recognized the truth of the saying in the first and the earliest of profane poets, that "the day which makes a man a slave robs him of half his value."

I might well think that the West Indian slave offered no exception to this maxim, that the habit of compulsory labor might have incapacitated him from voluntary exertion; that overmuch toil might have made all work his aversion; that never having been accustomed to provide for his own wants, while all his supplies were furnished by others, he might prove unwilling or unfit to work for himself, the ordinary inducements to industry never having operated on his mind.

In a word, it seemed unlikely that long disuse of freedom might have rendered him too familiar with his chains to set a right value on liberty, or that, if he panted to be free, the sudden transition from the one state to the other, the instantaneous enjoyment of the object of his desires, might prove too strong for his uncultured understanding; might overset his principles, and render him dangerous to the public peace. Hence it was that I entertained some apprehensions of the event, and yielded reluctantly to the plan proposed of preparing the negroes for the enjoyment of perfect freedom by passing them through the intermediate state of indentured apprenticeship.

Let us now see the results of their sudden though partial liberation, and how far those fears have been realized; for upon this must entirely depend the solution of the present question — whether or not it is safe now to complete the emancipation, which, if it only be safe, we have not the shadow of right any longer to withhold.

Well, then, let us see. The first of August came, the object

of so much anxiety and so many predictions — that day so joyously expected by the poor slaves, as sorely dreaded by their hard taskmasters; and surely, if there ever was a picture interesting, even fascinating, to look upon, if there ever was a passage in a people's history that redounded to their eternal honor, if ever triumphant answer was given to all the scandalous calumnies for ages heaped upon an oppressed race, as if to justify the wrongs done them, that picture, and that passage, and that answer were exhibited in the uniform history of that auspicious day all over the islands of the Western Sea. Instead of the horizon being lit up with the lurid fires of rebellion, kindled by a sense of natural though lawless revenge, and the just resistance to intolerable oppression, the whole of that widespread scene was mildly illuminated with joy, contentment, peace, and good will towards men.

No civilized nation, no people of the most refined character, could have displayed, after gaining a sudden and signal victory, more forbearance, more delicacy, in the enjoyment of their triumph, than these poor untutored slaves did upon the great consummation of all their wishes which they had just attained. Not a gesture or a look was seen to scare the eye; not a sound or a breath from the negro's lips was heard to grate on the ear of the planter. All was joy, congratulation, and hope. Everywhere were to be seen groups of these harmless folks assembled to talk over their good fortunes, to communicate their mutual feelings of happiness, to speculate on their future prospects. Finding that they were now free in name, they hoped soon to taste the reality of liberty. Feeling their fetters loosened, they looked forward to the day which would see them fall off, and the degrading marks which they left be effaced from their limbs.

But all this was accompanied with not a whisper that could

give offence to the master by reminding him of the change. This delicate, calm, tranquil joy was alone to be marked on that day over all the chain of the Antilles. Amusements there were none to be seen on that day — not even their simple pastimes by which they had been wont to beguile the hard hours of bondage, and which reminded that innocent people of the happy land of their forefathers, whence they had been torn by the hands of Christian and civilized men. The day was kept sacred as the festival of their liberation, for the negroes are an eminently pious race. Every church was crowded from early dawn with devout and earnest worshippers. Five or six times in the course of that memorable Friday were all those churches filled and emptied in succession by multitudes who came, not to give mouth-worship or eye-worship, but to render humble and hearty thanks to God for their freedom at length bestowed. In countries where the bounty of nature provokes the passions, where the fuel of intemperance is scattered with a profuse hand, I speak the fact when I tell that not one negro was seen in a state of intoxication. Three hundred and forty thousand slaves in Jamaica were at once set free on that day, and the peaceful festivity of those simple men was disturbed only on a single estate, in one parish, by the irregular conduct of three or four persons, who were immediately kept in order, and tranquillity was in one hour restored.

But the termination of slavery was to be an end of all labor; no man would work unless compelled; much less would any one work for hire. The cart-whip was to resound no more, and no more could exertion be obtained from the indolent African.

I set the past against these predictions. I have never been in the West Indies; I was one of those whom, under the name

of reasoners, and theorists, and visionaries, all planters pitied for incurable ignorance on colonial affairs; one of those who were forbidden to meddle with matters of which they could only judge who had the practical knowledge of experienced men on the spot obtained.

Therefore I now appeal to the fact,—and I also appeal to one who has been to the West Indies, is himself a planter, and was an eye-witness of the things upon which I call for his confirmatory testimony. It is to my noble friend [Lord Sligo] that I appeal. He knows, for he saw, that ever since slavery ceased there has been no want of inclination to work in any part of Jamaica, and that labor for hire is now to be had without the least difficulty by all who can afford to pay wages, the apprentices cheerfully working for those who will pay them during the hours not appropriated to their masters.

My noble friend made an inquisition as to the state of this important matter in a large part of his government; and I have his authority for stating that in nine estates out of ten laborers for hire were to be had without the least difficulty.

Yet this was the people of whom we were told, with a confidence that set all contradiction at defiance, with an insulting pity for the ignorance of us who had no local experience, that without the lash there could be no work done, and that, when it ceased to vex him, the African would sink into sleep. The prediction is found to have been ridiculously false; the negro peasantry is as industrious as our own, and wages furnish more effectual stimulus than the scourge.

Oh, but, said the men of colonial experience — the true practical men — this may do for some kinds of produce. Cotton may be planted, coffee may be picked, indigo may be manufactured,—all these kinds of work the negro may probably be got to do; but at least the cane will cease to grow,

the cane-piece can no longer be hoed, nor the plant be hewn down, nor the juice boiled, and sugar will utterly cease out of the land.

Now let the man of experience stand forward,—the practical man, the inhabitant of the colonies,—I require that he now come forth with his prediction, and I meet him with the fact; let him but appear, and I answer for him, we shall hear him prophesy no more. Put to silence by the past, which even these confident men have not the courage to deny, they will at length abandon this untenable ground.

Twice as much sugar by the hour was found, on my noble friend's inquiry, to be made since the apprenticeship, as under the slave system, and of a far better quality; and one planter on a vast scale has said that with twenty free laborers he could do the work of a hundred slaves.

But linger not on the islands where the gift of freedom has been but half bestowed. Look at Antigua and Bermuda, where the wisdom and the virtue have been displayed of at once giving complete emancipation. To Montserrat the same appeal might have been made, but for the folly of the upper House, which threw out the bill passed in the Assembly by the representatives of the planters. But in Antigua and in Bermuda, where for the last three years and a half there has not even been an apprentice — where all have been at once made as free as the peasantry of this country — the produce has increased, not diminished, and increased notwithstanding the accidents of bad seasons, droughts, and fires.

My lords, I have proved my case, and may now call for judgment. I have demonstrated every part of the proposition, which alone it is necessary that I should maintain, to prove the title of the apprentice to instant freedom from his taskmasters, because I have demonstrated that the liberation of the

slave has been absolutely, universally safe — attended with not even inconvenience — nay, productive of ample benefits to his master. I have shown that the apprentice works without compulsion, and that the reward of wages are a better incentive than the punishment of the lash. I have proved that labor for hire may anywhere be obtained as it is wanted, and can be purchased. All the apprentices working extra hours for hire, and all the free negroes, wherever their emancipation has been complete, worked harder by much for the masters who have wherewithal to pay them, than the slave can toil for his owner, or the apprentice for his master

Whether we look to the noble-minded colonies which have at once freed their slaves, or to those who still retain them in a middle and half-free condition, I have shown that the industry of the negro is undeniable, and that it is constant and productive in proportion as he is the director of its application and the master of its recompense. But I have gone a great deal further—I have demonstrated, by a reference to the same experience, the same unquestioned facts, that a more quiet, peaceful, inoffensive, innocent race is not to be found on the face of this earth than the Africans, not while dwelling in their own happy country, and enjoying freedom in a natural state under their own palm-trees and by their native streams, but after they have been torn away from it, enslaved, and their nature perverted in your Christian land, barbarized by the policy of civilized states; their whole character disfigured, if it were possible to disfigure it; all their feelings corrupted, if you could have corrupted them. Every effort has been made to spoil the poor African, every source of wicked ingenuity exhausted to deprave his nature, all the incentives of misconduct placed around him by the fiend-like artifice of Christian civilized men, and his excellent nature

has triumphed over all your arts; your unnatural culture has failed to make it bear the poisonous fruit that might well have been expected from such abominable husbandry, though enslaved and tormented, degraded and debased, as far as human industry could effect its purpose of making him bloodthirsty and savage, his gentle spirit has prevailed and preserved, in spite of all your prophecies, aye, and of all your efforts, unbroken tranquillity over the whole Caribbean chain!

Have I not proved my case? I show you that the whole grounds of the arrangement of 1833, the very pretext for withholding complete emancipation — alleged incapacity for labor and risk of insurrection — utterly fail. I rely on your own records; I refer to that record which cannot be averred against. I plead the record of your own statute. On what ground does its preamble rest the necessity of the intermediate or apprentice state, all admitting that nothing but necessity would justify it? —

"Whereas, it is expedient that provision should be made, promoting the industry and securing the good conduct of the manumitted slaves."

Those are the avowed reasons for the measure, those its only defence. All men confessed that were it not for the apprehension of liberated slaves not working voluntarily, and not behaving peaceably, of slavery being found to have unfitted them for industry, and of a sudden transition to perfect freedom being fraught with danger to the peace of society, you had no right to make them indentured apprentices and must at once get them wholly free. But the fear prevailed, which by the event I have now a right to call a delusion, and the apprenticeship was reluctantly agreed to.

The delusion went further. The planter succeeded in per-

suading us that he would be a vast loser by the change, and we gave him twenty millions sterling money to indemnify him for the supposed loss. The fear is found to be utterly baseless, the loss is a phantom of the brain, a shape conjured up by the interested parties to frighten our weak minds, and the only reality in this mockery is the payment of that enormous sum to the crafty and fortunate magician for his incantations The spell is dissolved, the charm is over, the unsubstantial fabric of calculating alarm, reared by the colonial body with our help, has been crushed to atoms, and its fragments scattered to the world.

And now, I ask, suppose it had been ascertained in 1833, when you make the apprenticeship law, that those alarms were absolutely groundless, the mere phantom of a sick brain, or contrivance of a sordid ingenuity, would a single voice have been raised in favor of the intermediate state? Would the words "indentured apprenticeship" ever have been pronounced? Would the man have been found endued with the courage to call for keeping the negro in chains one hour after he had been acknowledged entitled to his freedom?

My lords, I cannot better prove the absolute necessity of putting an immediate end to the state of apprenticeship than by showing what the victims of it are daily fated to endure. The punishments inflicted are of monstrous severity. The law is wickedly harsh; its execution is committed to hands that exasperate that cruelty. For the vague, undefined, undefinable offence of insolence, thirty-nine lashes; the same number for carrying a knife in the pocket; for cutting the shoot of a cane-plant, fifty lashes, or three months' imprisonment in that most loathsome of all dungeons, a West Indian jail.

There seems to have prevailed at all times among the

lawgivers of the slave colonies a feeling of which I grieve to say those of the mother country have partaken; that there is something in the nature of a slave, something in the disposition of the African race, something in the habits of those hapless victims of our crimes, our cruelties, and frauds, which requires a peculiar harshness of treatment from their rulers, and makes what in other men's cases we call justice and mercy cruelty to society, and injustice to the law in theirs, inducing us to visit with the extremity of rigor in the African what, if done by our own tribes, would be slightly visited, or not at all, as though there were in the negro nature something so obdurate that no punishment with which they can be punished would be too severe.

Prodigious, portentous injustice! As if we had a right to blame any but ourselves for whatever there may be of harsh or cunning in our slaves; as if we were entitled to visit upon him that disposition, were it obdurate — those habits, were they insubordinate — those propensities, were they dishonest (all of which I deny them to be, and every day's experience justifies my denial); but were those charges as true as they are foully slanderous and absolutely false, is it for us to treat our victims harshly for failings or for faults with which our treatment of him has corrupted and perverted his nature, instead of taking to ourselves the blame, punishing ourselves at least with self-abasement, and atoning with deepest shame for having implanted vice in a pure soil?

If some capricious despot were, in the career of ordinary tyranny, to tax his pampered fancy to produce something more monstrous, more unnatural than himself; were he to graft the thorn upon the vine, or place the dove among vultures to be reared, much as we might marvel at this freak of a perverted appetite, we should marvel still more if we saw

tyranny, even its own measure of proverbial unreasonableness, and complain because the grape was not gathered from the thorn, or because the dove so trained had a thirst for blood. Yet this is the unnatural caprice, this the injustice, the gross, the foul, the outrageous, the monstrous, the incredible injustice of which we are daily and hourly guilty towards the whole of the ill-fated African race!

My lords, we fill up the measure of this injustice by executing laws wickedly conceived, in a yet more atrocious spirit of cruelty. Our whole punishments smell of blood. Let the treadmill stop, from the weary limbs and exhausted frames of the sufferers no longer having the power to press it down the requisite number of turns in a minute, the lash instantly resounds through the mansion of woe! Let the stone spread out to be broken not crumble fast enough beneath the arms already scarred, flayed, and wealed by the whip, again the scourge tears afresh the half-healed flesh!

My lords, I have had my attention directed within the last two hours to the new mass of papers laid on our table from the West Indies. The bulk I am averse to break, but a sample I have culled from its hateful contents. Eleven females were punished by severe flogging, and then put on the treadmill, where they were compelled to ply until exhausted nature could do no more. When faint, and about to fall off, they were suspended by the arms in such a manner that has been described to me by a most respectable eye-witness of similar scenes, but not so suspended as that the mechanism could revolve clear of their person; for the wheel at each turn bruised and galled their legs, till their sufferings had reached the pitch when life can no longer even glimmer in the socket of the weary frame. In the course of a few days these wretched beings "languished," to

use the language of our law — that law which is so constantly and systematically violated—and, "languishing, died."

Ask you if crimes like these, murderous in their legal nature as well as frightful in their aspect, passed unnoticed; if inquiry was neglected to be made respecting those deaths in a prison? No such thing! The forms of justice were on this head peremptory even in the West Indies, and those forms, the handmaids of justice, were present, though their sacred mistress was far away. The coroner duly attended, his jury were regularly empanelled; eleven inquisitions were made in order, and eleven verdicts returned. Murder? Manslaughter? Misdemeanor? Misconduct? No! but "Died by the visitation of God!" Died by the visitation of God! A lie! — a perjury! — a blasphemy!

The visitation of God! Yes; for it is among the most awful of these visitations by which the inscrutable purposes of his will are mysteriously accomplished, that he sometimes arms the wicked with power to oppress the guiltless; and, if there be any visitation more dreadful than another — any which more tries the faith and vexes the reason of erring mortals — it is when heaven showers down upon the earth the plague — not of scorpions, or pestilence, or famine, or war — but of unjust judges or perjured jurors — wretches who pervert the law to wreak their personal vengeance or compass their sordid ends, and forswear themselves on the gospels of God, to the end that injustice may prevail and the innocent be destroyed —

> "Sed nos immensum spatiis confecimus æquor
> Et jam tempus equis spumentia solvere colla." [1]

I hasten to a close. There remains little to add. It is, my lords, with a view to prevent such enormities as I have

[1] "We have traversed the boundless spaces of the desert
And the time has come to unyoke our foaming steeds."

feebly pictured before you, to correct the administration of justice, to secure the comforts of the negroes, to restrain the cruelty of the tormentors, to amend the discipline of the prisons, to arm the governors with local authority over the police; it is with those views that I have formed the first five of the resolutions now upon your table, intending they should take effect during the very short interval of a few months which must elapse before the sixth shall give complete liberty to the slave.

I entirely concur in the observation of Mr. Burke, repeated and more happily expressed by Mr. Canning, that the masters of slaves are not to be trusted with making laws upon slavery; that nothing they do is ever found effectual; and that if by some miracle they even chance to enact a wholesome regulation, it is always found to want what Mr. Burke calls "the executory principle;" it fails to execute itself.

But experience has shown that when the lawgivers of the colonies find you are firmly determined to do your duty, they anticipate you by doing theirs. Thus, when you announced the bill for amending the Emancipation Act, they outstripped you in Jamaica, and passed theirs before you could reach them.

Let, then, your resolutions only show you to be in good earnest now, and I have no doubt a corresponding disposition will be evinced on the other side of the Atlantic. These improvements are, however, only to be regarded as temporary expedients,—as mere palliatives of an enormous mischief for which the only efficient remedy is that complete emancipation which I have demonstrated by the unerring and incontrovertible evidence of facts, as well as the clearest deductions of reason, to be safe and practicable, and, there-

fore, proved to be our imperative duty at once to proclaim.

From the instant that glad sound is wafted across the ocean, what a blessed change begins; what an enchanting prospect unfolds itself! The African, placed on the same footing with other men, becomes in reality our fellow citizen — to our feelings, as well as in his own nature, our equal, our brother. No difference of origin or color can now prevail to keep the two castes apart. The negro, master of his own labor,—only induced to lend his assistance if you make it his interest to help you, yet that aid being absolutely necessary to preserve your existence,—becomes an essential portion of the community, nay, the very portion upon which the whole must lean for support.

This ensures him all his rights; this makes it not only no longer possible to keep him in thraldom, but places him in a complete and intimate union with the whole mass of colonial society. Where the driver and the jailor once bore sway, the lash resounds no more, nor does the clank of the chain any more fall upon the troubled ear; the fetter has ceased to gall the vexed limb, and the very mark disappears which for a while it had left. All races and colors run together the same glorious race of improvement. Peace unbroken, harmony uninterrupted, calm unruffled, reign in mansion and in field, in the busy street and the fertile valley, where nature, with the lavish hand she extends under the tropical sun, pours forth all her bounty profusely, because received in the lap of cheerful industry, not extorted by hands cramped with bonds. Delightful pictures of general prosperity and social progress in all the arts of civility and refinement!

But another form is near! — and I may not shut my eyes

to that less auspicious vision! I do not deny that danger exists — I admit it to be not far distant from our path. I descry it, but not in the quarter to which West Indian eyes forever turn.

The planter, as usual, looks in the wrong direction. Averting his eyes from the real risk, he is ready to pay the price of his blindness and rush upon his ruin. His interest tells him he is in jeopardy, but it is a false interest and misleads him as to the nature of the risk he runs. They who always dreaded emancipation, who were alarmed at the prospect of negro indolence, who stood aghast at the vision of negro rebellion, should the chains cease to rattle or the lash to resound through the air, gathering no wisdom from the past, still persist in affrighting themselves and scaring you with imaginary apprehensions from the transition to entire freedom out of the present intermediate state.

But that intermediate state is the very source of all their real danger; and I disguise not its magnitude from myself. You have gone too far if you stop here and go no further; you are in imminent hazard if, having loosened the fetters, you do not strike them off; if, leaving them ineffectual to restrain, you let them remain to fall and to irritate and to goad. Beware of that state yet more unnatural than slavery itself — liberty bestowed by halves — the power of resistance given — the inducement to submission withheld.

You have let the slave taste of the cup of freedom; while intoxicated with the draught, beware how you dash the cup away from his lips! You have produced the progeny of liberty — see the prodigious hazard of swathing the limbs of the gigantic infant; you know not the might that may animate it. Have a care, I beseech you, have a care how you rouse the strength that slumbers in the sable peasant's

arm! The children of Africa under the tropical sun of the west, with the prospect of a free negro republic in sight, will not suffer themselves to be tormented when they no longer can be controlled.

The fire in St. Domingo is raging to windward, its sparks are borne on the breeze, and all the Caribbean Sea is studded with the materials of explosion. Every tribe, every shade of the negro race will combine from the fiery Koromantin to the peaceful Oboe, and the ghastly shape of the colonial destruction meets the astonished eye —

> "If shape it may be called, that shape has none
> Distinguishable in member, joint, or limb;
> Or substance may be called that shadow seems;
> For each seems either. Black it stood as night,
> Fierce as ten furies, terrible as Hell!"

I turn from the horrid vision, that my eye may rest once more on the prospect of enduring empire and peace founded upon freedom. I regard the freedom of the negro as accomplished and sure. Why? Because it is his right, because he has shown himself fit for it, because a pretext or a shadow of a pretext can no longer be devised for withholding that right from its possessor. I know that all men at this day take a part in the question, and they will no longer bear to be imposed upon now they are well informed.

My reliance is firm and unflinching upon the great change which I have witnessed — the education of the people unfettered by party or by sect — witnessed from the beginning of its progress, I may say from the hour of its birth.

Yes! It was not for an humble man like me to assist at royal births with the illustrious Prince who condescended to grace the pageant of this opening session, or the great captain and statesman in whose presence I am now proud to speak. But with that illustrious Prince, and with the father

of the Queen, I assisted at that other birth, more auspicious still. With them, and with the head of the house of Russell, incomparably more illustrious in my eyes, I watched over its cradle — I marked its growth — I rejoiced in its strength — I witnessed its maturity — I have been spared to see it ascend the very height of supreme power, directing the councils of state, accelerating every great improvement, uniting itself with every good work, propping all useful institutions, extirpating abuses in all our institutions, passing the bounds of our European dominion, and in the New World, as in the Old, proclaiming that freedom is the birthright of man; that distinction of color gives no title to oppression; that the chains now loosened must be struck off and even the marks they have left effaced; proclaiming this by the same eternal law of our nature which makes nations the masters of their own destiny, and which in Europe has caused every tyrant's throne to quake!

But they need feel no alarm at the progress of light who defend a limited monarchy and support popular institutions, who place their chiefest pride, not in ruling over slaves, be they white or be they black, not in protecting the oppressor, but in wearing a constitutional crown, in holding the sword of justice with a hand of mercy, in being the first citizen of a country whose air is too pure for slavery to breathe, and on whose shores, if the captive's foot but touch, his fetters of themselves fall off. To the resistless progress of this great principle I look with a confidence which nothing can shake. It makes all improvement certain; it makes all change safe which it produces, for none can be brought about unless all has been prepared in a cautious and salutary spirit.

So now the fulness of time is come for at length discharging our duty to the African captive. I have demonstrated

to you that everything is ordered — every previous step taken — all safe, by experience shown to be safe, for the long-desired consummation. The time has come, the trial has been made, the hour is striking; you have no longer a pretext for hesitation, or faltering, or delay. The slave has shown, by four years' blameless behavior and devotion to the pursuits of peaceful industry, that he is as fit for his freedom as any English peasant, aye, or any lord whom I now address.

I demand his rights; I demand his liberty without stint. In the name of justice and of law, in the name of reason, in the name of God, who has given you no right to work injustice, I demand that your brother be no longer trampled upon as your slave! I make my appeal to the Commons, who represent the free people of England, and I require at their hands the performance of that condition for which they paid so enormous a price — that condition which all their constituents are in breathless anxiety to see fulfilled! I appeal to this House! Hereditary judges of the first tribunal in the world, to you I appeal for justice! Patrons of all the arts that humanize mankind, under your protection I place humanity herself! To the merciful Sovereign of a free people, I call aloud for mercy to the hundreds of thousands for whom half a million of her Christian sisters have cried out; I ask that their cry may not have risen in vain. But, first, I turn my eye to the Throne of all justice, and, devoutly humbling myself before him who is of purer eyes than to behold such vast iniquities, I implore that the curse hovering over the head of the unjust and the oppressor be averted from us, that your hearts may be turned to mercy, and that over all the earth his will may at length be done!

# EMMET

ROBERT EMMET, a noted Irish patriot and orator, was born in Dublin in 1778. He was educated at Trinity College, Dublin, and distinguished himself there by his eloquence in the College Historical Society. He took a deep interest in politics and became one of the leading spirits among the United Irishmen, whose aim was the freeing of Ireland. In July, 1803, he attempted to lead a small body of insurrectionists who, however, soon passed beyond his control and wantonly murdered the chief justice, Lord Kilcolman, whose carriage they intercepted. When the rioters were dispersed Emmet fled to the Wicklow Mountains, but was soon arrested and tried for treason, pleading his cause on this occasion in a long and eloquent speech. He was nevertheless condemned to death, and was executed September 20, 1803, after a farewell speech from the scaffold.

## SPEECH WHEN UNDER SENTENCE OF DEATH

DELIVERED AT THE SESSION HOUSE, DUBLIN, BEFORE LORD NORBURY, SEPTEMBER 19, 1803

MY LORDS,—What have I to say why sentence of death should not be pronounced on me according to law? I have nothing to say that can alter your predetermination, nor that it will become me to say with any view to the mitigation of that sentence which you are here to pronounce and I must abide by. But I have that to say which interests me more than life and which you have labored (as was necessarily your office in the present circumstances of this oppressed country) to destroy. I have much to say why my reputation should be rescued from the load of false accusation and calumny which has been heaped upon it. I do not imagine that, seated where you are, your minds can be so free from impurity as to receive the least impression from what I am going to utter,—I have no hopes

that I can anchor my character in the breast of a court constituted and trammelled as this is,— I only wish, and it is the utmost I expect, that your lordship may suffer it to float down your memories, untainted by the foul breath of prejudice, until it finds some more hospitable harbor to shelter it from the storm by which it is at present buffeted.

Was I only to suffer death after being adjudged guilty by your tribunal, I should bow in silence and meet the fate that awaits me without a murmur: but the sentence of law which delivers my body to the executioner will, through the ministry of that law, labor, in its own vindication, to consign my character to obloquy,— for there must be guilt somewhere: whether in the sentence of the court or in the catastrophe, posterity must determine.

A man in my situation, my lords, has not only to encounter the difficulties of fortune and the force of power over minds which it has corrupted or subjugated, but the difficulties of established prejudice: the man dies, but his memory lives. That mine may not perish, that it may live in the respect of my countrymen, I seize upon this opportunity to vindicate myself from some of the charges alleged against me.

When my spirit shall be wafted to a more friendly port; when my shade shall have joined the bands of those martyred heroes who have shed their blood on the scaffold and in the field in defense of their country and of virtue, this is my hope: I wish that my memory and name may animate those who survive me, while I look down with complacency on the destruction of that perfidious government which upholds its domination by blasphemy of the Most High; which displays its power over man as over the beasts of the forest; which sets man upon his brother and lifts his hand in the name of God against the throat of his fellow who believes or doubts a

little more or a little less than the government standard,— a government which is steeled to barbarity by the cries of the orphans and the tears of the widows which it has made——

[Here Lord Norbury interrupted Mr. Emmet, saying that the mean and wicked enthusiasts who felt as he did were not equal to the accomplishment of their wild designs.]

I appeal to the immaculate God — I swear by the throne of heaven, before which I must shortly appear — by the blood of the murdered patriots who have gone before me — that my conduct has been, through all this peril and all my purposes, governed only by the convictions which I have uttered, and by no other view than that of their cure and the emancipation of my country from the superinhuman oppression under which she has so long and too patiently travailed; and that I confidently and assuredly hope that, wild and chimerical as it may appear, there is still union and strength in Ireland to accomplish this noble enterprise.

Of this I speak with the confidence of intimate knowledge and with the consolation that appertains to that confidence. Think not, my lord, I say this for the petty gratification of giving you a transitory uneasiness; a man who never yet raised his voice to assert a lie will not hazard his character with posterity by asserting a falsehood on a subject so important to his country and on an occasion like this. Yes, my lords, a man who does not wish to have his epitaph written until his country is liberated will not leave a weapon in the power of envy, nor a pretence to impeach the probity which he means to preserve even in the grave to which tyranny consigns him.

[Here he was again interrupted by the court.]

Again I say that what I have spoken was not intended for your lordship, whose situation I commiserate rather than envy my expressions were for my countrymen; if there is a true Irishman present, let my last words cheer him in the hour of his affliction.

[Here he was again interrupted. Lord Norbury said he did not sit there to hear treason.]

I have always understood it to be the duty of a judge, when a prisoner has been convicted, to pronounce the sentence of the law; I have also understood that judges sometimes think it their duty to hear with patience and to speak with humanity; to exhort the victim of the laws and to offer with tender benignity his opinions of the motives by which he was actuated in the crime of which he had been adjudged guilty: that a judge has thought it his duty so to have done, I have no doubt; but where is the boasted freedom of your institutions, where is the vaunted impartiality, clemency, and mildness of your courts of justice, if an unfortunate prisoner, whom your policy, and not pure justice, is about to deliver into the hands of the executioner, is not suffered to explain his motives sincerely and truly, and to vindicate the principles by which he was actuated?

My lords, it may be a part of the system of angry justice to bow a man's mind by humiliation to the purposed ignominy of the scaffold; but worse to me than the purposed shame or the scaffold's terrors would be the shame of such foul and unfounded imputations as have been laid against me in this court. You, my lord, are a judge; I am the supposed culprit: I am a man, you are a man also; by a revolution of power we might change places, though we never could change characters. If I stand at the bar of this court and

dare not vindicate my character, what a farce is your justice? If I stand at this bar and dare not vindicate my character, how dare you calumniate it? Does the sentence of death which your unhallowed policy inflicts on my body also condemn my tongue to silence and my reputation to reproach? Your executioner may abridge the period of my existence; but while I exist I shall not forbear to vindicate my character and motives from your aspersions; and as a man to whom fame is dearer than life I will make the last use of that life in doing justice to that reputation which is to live after me, and which is the only legacy I can leave to those I honor and love, and for whom I am proud to perish. As men, my lord, we must appear at the great day at one common tribunal, and it will then remain for the searcher of all hearts to show a collective universe who was engaged in the most virtuous actions or actuated by the purest motives — my country's oppressors or ——

[Here he was interrupted and told to listen to the sentence of the law.]

My lord, will a dying man be denied the legal privilege of exculpating himself, in the eyes of the community, of an undeserved reproach thrown upon him during his trial, by charging him with ambition and attempting to cast away, for a paltry consideration, the liberties of his country? Why did your lordship insult me, or, rather, why insult justice, in demanding of me why sentence of death should not be pronounced? I know, my lord, that form prescribes that you should ask the question; the form also presumes a right of answering. This, no doubt, may be dispensed with — and so might the whole ceremony of trial, since sentence was already pronounced at the Castle before your jury was

impanelled; your lordships are but the priests of the oracle, and I submit; but I insist on the whole of the forms.

[Here the court desired him to proceed.]

I am charged with being an emissary of France! An emissary of France! And for what end? It is alleged that I wished to sell the independence of my country! And for what end? Was this the object of my ambition? And is this the mode by which a tribunal of justice reconciles contradictions? No, I am no emissary; and my ambition was to hold a place among the deliverers of my country; not in power nor in profit, but in the glory of the achievement! Sell my country's independence to France! And for what? Was it for a change of masters? No! But for ambition! Oh, my country, was it personal ambition that could influence me, had it been the soul of my actions, could I not by my education and fortune, by the rank and consideration of my family, have placed myself among the proudest of my oppressors? My country was my idol; to it I sacrificed every selfish, every endearing sentiment; and for it I now offer up my life. Oh, God! No, my lord; I acted as an Irishman, determined on delivering my country from the yoke of a foreign and unrelenting tyranny and from the more galling yoke of a domestic faction which is its joint partner and perpetrator in the parricide, for the ignominy of existing with an exterior of splendor and of conscious depravity. It was the wish of my heart to extricate my country from this doubly-riveted despotism.

I wished to place her independence beyond the reach of any power on earth; I wished to exalt you to that proud station in the world.

Connection with France was indeed intended, but only

as far as mutual interest would sanction or require. Were they to assume any authority inconsistent with the purest independence, it would be the signal for their destruction. We sought aid, and we sought it as we had assurances we should obtain it,— as auxiliaries in war and allies in peace.

Were the French to come as invaders or enemies, uninvited by the wishes of the people, I should oppose them to the utmost of my strength. Yes, my countrymen, I should advise you to meet them on the beach with a sword in one hand and a torch in the other; I would meet them with all the destructive fury of war; and I would animate my countrymen to immolate them in their boats before they had contaminated the soil of my country. If they succeeded in landing, and if forced to retire before superior discipline, I would dispute every inch of ground, burn every blade of grass, and the last intrenchment of liberty should be my grave. What I could not do myself, if I should fall, I should leave as a last charge to my countrymen to accomplish; because I should feel conscious that life, any more than death, is unprofitable when a foreign nation holds my country in subjection.

But it was not as an enemy that the succors of France were to land; I looked indeed for the assistance of France; but I wished to prove to France and to the world that Irishmen deserved to be assisted; that they were indignant at slavery and ready to assert the independence and liberty of their country.

I wished to procure for my country the guarantee which Washington procured for America; to procure an aid which by its example would be as important as its valor, disciplined, gallant, pregnant with science and experience; who would perceive the good and polish the rough points of our char-

acter. They would come to us as strangers and leave us as friends after sharing in our perils and elevating our destiny. These were my objects; not to receive new taskmasters, but to expel old tyrants; these were my views, and these only became Irishmen. It was for these ends I sought aid from France, because France, even as an enemy, could not be more implacable than the enemy already in the bosom of my country.

[Here he was interrupted by the court.]

I have been charged with that importance in the efforts to emancipate my country as to be considered the keystone of the combination of Irishmen, or, as your lordship expressed it, "the life and blood of conspiracy." You do me honor over-much. You have given to the subaltern all the credit of a superior. There are men engaged in this conspiracy who are not only superior to me, but even to your own conceptions of yourself, my lord; men before the splendor of whose genius and virtues I should bow with respectful deference, and who would think themselves dishonored to be called your friend — who would not disgrace themselves by shaking your blood-stained hand —

[Here he was interrupted.]

What, my lord, shall you tell me, on the passage to that scaffold which that tyranny of which you are only the intermediary executioner has erected for my murder, that I am accountable for all the blood that has and will be shed in this struggle of the oppressed against the oppressor? — shall you tell me this — and must I be so very a slave as not to repel it?

I do not fear to approach the Omnipotent Judge to answer

for the conduct of my whole life; and am I to be appalled and falsified by a mere remnant of mortality here? — by you, too, who, if it were possible to collect all the innocent blood that you have shed in your unhallowed ministry, in one great reservoir, your lordship might swim in it.

[Here the judge interfered.]

Let no man dare, when I am dead, to charge me with dishonor; let no man attaint my memory by believing that I could have engaged in any cause but that of my country's liberty and independence; or that I could have become the pliant minion of power in the oppression or the miseries of my countrymen. The proclamation of the provisional government speaks for our views; no inference can be tortured from it to countenance barbarity or debasement at home, or subjection, humiliation, or treachery from abroad. I would not have submitted to a foreign oppressor for the same reason that I would resist the foreign and domestic oppressor; in the dignity of freedom I would have fought upon the threshold of my country, and its enemy should enter only by passing over my lifeless corpse. Am I, who lived but for my country, and who have subjected myself to the dangers of the jealous and watchful oppressor and the bondage of the grave only to give my countrymen their rights and my country her independence,— am I to be loaded with calumny, and not suffered to resent or repel it? No, God forbid!

If the spirits of the illustrious dead participate in the concerns and cares of those who are dear to them in this transitory life — O ever dear and venerated shade of my departed father, look down with scrutiny upon the conduct of your suffering son, and see if I have even for a moment deviated from those principles of morality and patriotism which it was

your care to instil into my youthful mind, and for which I am now to offer up my life.

My lords, you are impatient for the sacrifice: the blood which you seek is not congealed by the artificial terrors which surround your victim; it circulates warmly and unruffled through the channels which God created for noble purposes, but which you are bent to destroy for purposes so grievous that they cry to heaven.

Be yet patient! I have but a few words more to say. I am going to my cold and silent grave: my lamp of life is nearly extinguished: my race is run: the grave opens to receive me, and I sink into its bosom! I have but one request to ask at my departure from this world,—it is the charity of its silence! Let no man write my epitaph: for as no man who knows my motives dare now vindicate them, let not prejudice or ignorance asperse them. Let them and me repose in obscurity and peace, and my tomb remain uninscribed, until other times and other men can do justice to my character. When my country takes her place among the nations of the earth, then, and not till then, let my epitaph be written. I have done.

# CHALMERS

THOMAS CHALMERS, a famous Scottish Presbyterian preacher and theologian, was born at Anstruther, Fifeshire, March 17, 1780. He was the son of a merchant, and received his education at the University of St. Andrews, where, in obedience to his early desires, he studied divinity. In 1803 he was settled over the parish of Kilmeny, but was at the same time a lecturer on chemistry at St. Andrews. His preaching at Kilmeny proved extremely popular, and in 1814 he became minister of the Tron Church at Glasgow, where he exerted a powerful influence, meeting with extraordinary success both in his preaching and in the philanthropic work in which he was zealously engaged. In 1823 he returned to St. Andrews as professor of moral philosophy at the University, and in 1828 was appointed to the chair of theology at the University of Edinburgh. This position he retained until 1843, when he left the Established Church and became professor of divinity in New College (Free Church) Edinburgh. He was one of the leaders of the movement which led, in 1843, to the secession of the Free Church from the Establishment. He died at Edinburgh, May 31, 1847. His theology was Calvinistic, but he had much natural breadth of temperament, and by his independent thinking he greatly widened the scope of the evangelical pulpit and adjusted it to the needs of the age. He was one of the greater preachers of his day and exerted a deep influence on Scottish thought. His principal works include "National Theology;" "Evidences of Christianity;" "Moral and Mental Philosophy;" "Commercial Discourses;" "Astronomical Discourses" (1817); "Congregational Sermons;" "Sermons on Public Occasions;" "Speeches and Tracts" (1822); "Christian and Economic Policy" (1821); "Church Establishments;" "Pauperism;" "Church Extension;" "Lectures on the Epistle to the Romans;" "Posthumous Sermons;" "Institutes of Theology;" "Prelections on Butler's Analogy."

## SERMON: FURY NOT IN GOD

**"Fury is not in me: who would set the briers and thorns against me in battle? I would go through them, I would burn them together. Or let him take hold of my strength, that he may make peace with me; and he shall make peace with me."—Isaiah xxvii, 4, 5.**

THERE are three distinct lessons in this text. The first, that fury is not in God; the second that he does not want to glorify himself by the death of sinners—"Who would set the thorns and briers against me in battle?" the third, the invitation—"Take hold of my

strength, that you may make peace with me; and you shall make peace with me."

First, then, fury is not in God. But how can this be? is not fury one manifestation of his essential attributes? do we not repeatedly read of his fury — of Jerusalem being full of the fury of the Lord — of God casting the fury of his wrath upon the world — of him rendering his anger upon his enemies with fury — of him accomplishing his fury upon Zion — of him causing his fury to rest on the bloody and devoted city? We are not, therefore, to think that fury is banished altogether from God's administration. There are times and occasions when this fury is discharged upon the objects of it; and there must be other times and other occasions when there is no fury in him.

Now, what is the occasion upon which he disclaims all fury in our text? He is inviting men to reconciliation; he is calling upon them to make peace; and he is assuring them that if they will only take hold of his strength they shall make peace with him. In the preceding verses he speaks of a vineyard; and in the act of inviting people to lay hold of his strength he is in fact inviting those who are without the limits of the vineyard to enter in. Fury will be discharged on those who reject the invitation.

But we cannot say that there is any exercise of fury in God at the time of giving the invitation. There is the most visible and direct contrary. There is a longing desire after you. There is a wish to save you from that day in which the fury of a rejected Saviour will be spread abroad over all who have despised him. The tone of invitation is not a tone of anger — it is a tone of tenderness. The look which accompanies the invitation is not a look of wrath — it is a look of affection.

There may be a time, there may be an occasion, when the fury of God will be put forth on the men who have held out against him, and turned them away in infidelity and contempt from his beseeching voice; but at the time that he is lifting this voice — at the time that he is sending messengers over the face of the earth to circulate it among the habitations of men — at the time particularly among ourselves, when in our own place and our own day Bibles are within the reach of every family, and ministers in every pulpit are sounding forth the overtures of the gospel throughout the land — surely, at such a time and upon such an occasion it may well be said of God to all who are now seeking his face and favor that there is no fury in him.

It is just as in the parable of the marriage feast: many rejected the invitation which the king gave to it—for which he was wroth with them, and sent forth his armies and destroyed them, and burned up their city. On that occasion there was fury in the king, and on the like occasion will there be fury in God. But well can he say at the time when he is now giving the invitation — there is no fury in me. There is kindness — a desire for peace and friendship — a longing earnestness to make up the quarrel which now subsists between the lawgiver in heaven and his yet impenitent and unreconciled creatures.

This very process was all gone through at and before the destruction of Jerusalem. It rejected the warnings and invitations of the Saviour, and at length experienced his fury. But there was no fury at the time of his giving the invitations. The tone of our Saviour's voice when he uttered — "O, Jerusalem, Jerusalem!" was not the tone of a vindictive and irritated fury. There was compassion in it — a warning and pleading earnestness that they would mind the things

which belonged to their peace; and at that time when he would willingly have gathered them as a hen gathereth her chickens under her wings—then may it well be said that there was no fury in the Son of God, no fury in God.

Let us make the application to ourselves in the present day. On the last day there will be a tremendous discharge of fury. That wrath which sinners are now doing so much to treasure up will all be poured forth on them. The season of God's mercy will then have come to an end; and after the sound of the last trumpet there will never more be heard the sounding call of reconciliation.

Oh, my brethren, that God who is grieved and who is angry with sinners every day will in the last day pour it all forth in one mighty torrent on the heads of the impenitent. It is now gathering and accumulating in a storehouse of vengeance; and at the awful point in the successive history of nature and providence, when time shall be no more, will the door of this storehouse be opened, that the fury of the Lord may break loose upon the guilty and accomplish upon them the weight and the terror of all his threatenings.

You misunderstand the text, then, my brethren, if you infer from it that fury has no place in the history or methods of God's administration. It has its time and its occasion — and the very greatest display of it is yet to come, when the earth shall be burned up and the heavens shall be dissolved, and the elements shall melt with fervent heat, and the Lord Jesus shall be revealed from heaven with his mighty angels, in flaming fire, taking vengeance on those who know not God and obey not the gospel of our Lord Jesus Christ; and they shall be punished with everlasting destruction from the presence of the Lord and from the glory of his power.

It makes one shudder seriously to think that there may be

some here present whom this devouring torrent of wrath shall sweep away; some here present who will be drawn into the whirl of destruction, and forced to take their descending way through the mouth of that pit where the worm dieth not and the fire is not quenched; some here present who, so far from experiencing in their own persons that there is no fury in God, will find that throughout the dreary extent of one hopeless and endless and unmitigated eternity it is the only attribute of his they have to do with.

But hear me, hear me ere you have taken your bed in hell; hear me, ere that prison door be shut upon you which is never, never again to be opened! hear me, hear me ere the great day of the revelation of God's wrath comes round, and there shall be a total breaking up of that system of things which looks at present so stable and so unalterable!

On that awful day I might not be able to take up the text and say that there is no fury in God. But, oh! hear me, for your lives hear me — on this day I can say it. From the place where I now stand I can throw abroad amongst you the wide announcement — that there is no fury in God; and there is not one of you into whose heart this announcement may not enter, and welcome will you be to strike with your beseeching God a league of peace and of friendship that shall never be broken asunder.

Surely when I am busy at my delegated employment of holding out the language of entreaty, and of sounding in your ears the tidings of gladness, and of inviting you to enter into the vineyard of God — surely at the time when the messenger of the gospel is thus executing the commission wherewith he is charged and warranted, he may well say that there is no fury in God.

Surely at the time when the Son of God is inviting you to

kiss him and to enter into reconciliation, there is neither the feeling nor the exercise of fury. It is only if you refuse, and if you persist in refusing, and if you suffer all these calls and entreaties to be lost upon you — it is only then that God will execute his fury and put forth the power of his anger. And therefore he says to us, "Kiss the Son, lest he be angry, and ye perish from the way, when his wrath is kindled but a little."

Such, then, is the interesting point of time at which you stand. There is no fury in God at the very time that he is inviting you to flee from it. He is sending forth no blasting influence upon the fig-tree, even though hitherto it had borne no fruit and been a mere cumberer of the ground, when he says, we shall let it alone for another year, and dig it, and dress it, and if it bear fruit, well; and if not, then let it be afterwards cut down. Now, my brethren, you are all in the situation of this fig-tree; you are for the present let alone; God has purposes of kindness towards every one of you; and as one of his ministers I can now say to you all that there is no fury in him.

Now, when the spiritual husbandman is trying to soften your hearts, he is warranted to make a full use of the argument of my text — that there is no fury in God. Now that the ambassador of Christ is plying you with the offers of grace and of strength to renew and to make you fruitful, he is surely charged with matter of far different import from wrath and threatening and vengeance.

Oh! let not all this spiritual husbandry turn out to be unavailing; let not the offer be made now, and no fruit appear afterwards; let not yours be the fate of the barren and unfruitful fig-tree. The day of the fury of the Lord is approaching. The burning up of this earth and the passing

away of these heavens is an event in the history of God's administration to which we are continually drawing nearer; and on that day when the whole of universal nature shall be turned into a heap of ruins, and we shall see the gleam of a mighty conflagration, and shall hear the noise of the framework of creation rending into fragments, and a cry shall be raised from a despairing multitude out of the men of all generations who have just awoke from their resting-places — and amid all the bustle and consternation that is going on below, such a sight shall be witnessed from the canopy of heaven as will spread silence over the face of the world, and fix and solemnize every individual of its incumbent population.

Oh, my brethren, let us not think that on that day when the Judge is to appear charged with the mighty object of vindicating before men and angels the truth and the majesty of God — that the fury of God will not then appear in bright and burning manifestation. But what I have to tell you on this day is, that fury is not in God — that now is the time of those things which belong to the peace of our eternity; and that if you will only hear on this the day of your merciful visitation you will be borne off in safety from all those horrors of dissolving nature, and amid the wild war and frenzy of its reeling elements will be carried by the arms of love to a place of security and everlasting triumph.

This brings us to the second head of discourse — God is not wanting to glorify himself by the death of sinners — "who would set the thorns and the briers against me in battle?" The wicked and the righteous are often represented in Scripture by figures taken from the vegetable world. The saved and sanctified are called trees of righteousness, the planting of the Lord that he might be glorified.

The godly man is said to be like a tree planted by the rivers of water, which bringeth forth its fruit in its season.

The judgment which cometh upon a man is compared to an axe laid to the root of a tree. A tree is said to be known by its fruits; and as a proof that the kind of character of men is specified by the kind of tree in the woods, we read that of thorns men do not gather figs, nor of the bramble-bush gather they grapes.

You will observe that the thorn is one of the kinds instanced in the text, and when God says, I would go through them, I would burn them together, he speaks of the destruction which cometh on all who remain in the state of thorns and briers; and this agrees with what we read in the Epistle to the Hebrews, "That which beareth thorns and briers is rejected, and is nigh unto cursing, whose end is to be burned."

Thorns and briers are in other places still more directly employed to signify the enemies of God. "And the light of Israel shall be for a fire," says one of the prophets, "and his Holy One for a flame, and it shall burn and devour his thorns and his briers in one day."

Therefore, when God says in the text, "Who would set the thorns and the briers against me in battle? I would go through them, I would burn them together," he speaks of the ease wherewith he could accomplish his wrath upon his enemies. They would perish before him like the moth. They could not stand the lifting up of the red right arm of the displeasure of Almighty God.

Why set up, then, a contest so unequal as this? Why put the wicked in battle array against him who could go through them and devour them in an instant by the breath of his fury? God is saying in the text that this is not what he is wanting. He does not want to set himself forth as

an enemy, or as a strong man armed against them for the battle — it is a battle he is not at all disposed to enter into. The glory he would achieve by a victory over a host so feeble is not a glory that his heart is at all set upon. Oh, no! ye children of men, he has no pleasure in your death; he is not seeking to magnify himself by the destruction of so paltry a foe; he could devour you in a moment; he could burn you up like stubble; and you mistake it if you think that renown on so poor a field of contest is a renown that he is at all aspiring after. Who would set the grasshoppers in battle array against the giants? Who would set thorns and briers in battle array against God? This is not what he wants: he would rather something else.

Be assured, he would rather you were to turn and to live, and to come into his vineyard, and submit to the regenerating power of his spiritual husbandry, and be changed from the nature of an accursed plant to a tree of righteousness. In the language of the next verse, he would rather that this enemy of his, not yet at peace with him, and who may, therefore, be likened to a brier or a thorn—he would rather that he remained so that he should take hold of God's strength, that he may make peace with him — and as the fruit of his so doing he shall make peace with him.

Now, tell me if this do not open up a most wonderful and a most inviting view of God? It is the real attitude in which he puts himself forth to us in the gospel of his Son. He there says, in the hearing of all to whom the word of this salvation is sent, "Why will ye die?" It is true that by your death he could manifest the dignity of his Godhead; he could make known the power of his wrath; he could spread the awe of his truth and his majesty over the whole territory of his government, and send forth to its uttermost

limits the glories of his strength and his immutable sovereignty.

But he does not want to magnify himself over you in this way; he has no ambition whatever after the renown of such a victory, over such weak and insignificant enemies. Their resistance were no trial whatever to his strength or to his greatness. There is nothing in the destruction of creatures so weak that can at all bring him any distinction or throw any aggrandizement around him. And so in Scripture everywhere do we see him pleading and protesting with you that he does not want to signalize himself upon the ruin of any, but would rather that they should turn and be saved.

And now, my brethren, what remains for you to do? God is willing to save you: are you willing to be saved? The way is set before you most patiently and clearly in the Bible — nay, the very text, brief as it is, points out to you the way, as I shall endeavor to explain and set before you in the third head of discourse. But meanwhile, and all the better to secure a hearing from you, let me ask you to lay it upon your consciences whether you are in a state that will do for you to die in. If not, then I beseech you to think how certainly death will, and how speedily it may, come upon the likeliest of you all. The very youngest among you know very well, that if not cut off previously — which is a very possible thing — then manhood will come, and old age will come, and the dying bed will come, and the very last look you shall ever cast on your acquaintances will come, and the agony of the parting breath will come, and the time when you are stretched a lifeless corpse before the eyes of weeping relatives will come, and the coffin that is to enclose you will come, and that hour when the company assemble to carry

you to the churchyard will come, and that minute when you are put into the grave will come, and the throwing in of the loose earth into the narrow house where you are laid, and the spreading of the green sod over it — all, all will come on every living creature who now hears me; and in a few little years the minister who now speaks, and the people who now listen, will be carried to their long homes and make room for another generation.

Now, all this, you know, must and will happen — your common sense and common experience serve to convince you of it. Perhaps it may have been little thought of in the days of careless and thoughtless and thankless unconcern which you have spent hitherto; but I call upon you to think of it now, to lay it seriously to heart, and no longer to trifle and delay, when the high matters of death and judgment and eternity are thus set so evidently before you. And the tidings wherewith I am charged — and the blood lieth upon your own head and not upon mine, if you will not listen to them — the object of my coming amongst you is to let you know what more things are to come; it is to carry you beyond the regions of sight and of sense to the regions of faith, and to assure you, in the name of him who cannot lie, that as sure as the hour of laying the body in the grave comes, so surely will also come the hour of the spirit returning to the God who gave it.

Yes, and the day of final reckoning will come, and the appearance of the Son of God in heaven, and his mighty angels around him, will come, and the opening of the books will come, and the standing of the men of all generations before the judgment-seat will come, and the solemn passing of that sentence which is to fix you for eternity will come. Yes, and if you refuse to be reconciled in the name of Christ,

now that he is beseeching you to be so, and if you refuse to turn from the evil of your ways, and to do and to be what your Saviour would have you, I must tell you what that sentence is to be — "Depart from me, ye cursed, into everlasting fire, prepared for the devil and his angels."

There is a way of escape from the fury of this tremendous storm. There is a pathway of egress from the state of condemnation to the state of acceptance. There is a method pointed out in Scripture by which we, who by nature are the children of wrath, may come to be at peace with God. Let all ears be open then to our explanation of this way, as we bid you in the language of our text take hold of God's strength, that you may make peace with him, and which if you do, you shall make peace with him. . . .

I know not, my brethren, in how far I may have succeeded, as an humble and unworthy instrument, in drawing aside the veil which darkens the face of him who sitteth on the throne. But oh, how imposing is the attitude, and how altogether affecting is the argument with which he comes forward to us in the text of this day! It is not so much his saying that there is no fury in him — this he often tells us in other passages of Scripture; but the striking peculiarity of the words now submitted to us is the way in which he would convince us how little interest he can have in our destruction, and how far it is from his thoughts to aspire after the glory of such an achievement, as if he had said — it would be nothing to me to consume you all by the breath of my indignation — it would throw no illustration over me to sweep away the whole strength of that rebellion which you have mustered up against me — it would make no more to my glory than if I went through the thorns and briers and burned them before me.

This is not the battle I want to engage in — this is not the victory by which I seek to signalize myself; and you mistake me — you mistake me, ye feeble children of men, if you think that I aspire after anything else with any one of you than that you should be prevailed on to come into my vineyard, and lay hold of my strength, and seek to make peace with me, and you shall make peace with me.

The victory that my heart is set upon is not a victory over your persons — that is a victory that will easily be gotten in the great day of final reckoning over all who have refused my overtures, and would none of my reproof, and have turned them away from my beseeching offers of reconciliation.

In that great day of the power of mine anger it will be seen how easy it is to accomplish such a victory as this — how rapidly the fire of my conflagration will involve the rebels who have opposed me in that devouring flame from which they never, never can be extricated — how speedily the execution of the condemning sentence will run through the multitude who stand at the left hand of the Avenging Judge; and rest assured, ye men who are now hearing me, and whom I freely invite all to enter into the vineyard of God, that this is not the triumph that God is longing after. It is not a victory over your persons then of which he is at all ambitious — it is a victory over your wills now — it is that you do honor to his testimony by placing your reliance on it — it is that you accept of his kind and free assurances that he has no ill will to you—it is that you cast the whole burden of sullen fear and suspicion away from your hearts, and that now, even now, you enter into a fellowship of peace with the God whom you have offended.

Oh! be prevailed upon. I know that terror will not sub-

due you; I know that all the threatenings of the law will not reclaim you; I know that no direct process of pressing home the claims of God upon your obedience will ever compel you to the only obedience that is of any value in his estimation — even the willing obedience of the affections to a father whom you love. But surely when he puts on in your sight the countenance of a father—when he speaks to you with the tenderness of a father—when he tries to woo you back to that house of his from which you have wandered, and, to persuade you of his good will, descends so far as to reason the matter, and to tell you that he is no more seeking any glory from your destruction than he would seek glory from lighting into a blaze the thorns and the briers and burning them together — ah! my brethren, should it not look plain to the eye of faith how honest and sincere the God of your redemption is, who is thus bowing himself down to the mention of such an argument!

Do lay hold of it, and be impressed by it, and cherish no longer any doubt of the good will of the Lord God, merciful and gracious; and let your faith work by love to him who hath done so much and said so much to engage it, and let this love evince all the power of a commanding principle within you, by urging your every footstep to the new obedience of new creatures in Jesus Christ your Lord.

Thus the twofold benefit of the gospel will be realized by all who believe and obey that gospel. Reconciled to God by the death of his Son, regenerated by the power of that mighty and all-subduing Spirit who is at the giving of the Son, your salvation will be complete — washed, and sanctified, and justified in the name of the Lord Jesus, and by the Spirit of our God.

# CHANNING

WILLIAM ELLERY CHANNING, a distinguished American Unitarian divine, was born in Newport, Rhode Island, April 7, 1780. He was graduated at Harvard College in 1798 and after two years spent as tutor in a Virginia family studied theology and was ordained pastor of the Federal Street church in Boston in 1803. From the first his sermons were notable for their literary finish as well as for their fluency and clearness of expression. Channing's religious views, which had never been strongly Trinitarian, approached, as time went on, more nearly to those known as Unitarian, and without caring for that or any sectarian name he came at length to be the leader of Unitarian thought. He was much averse to controversy, but at the ordination of Jared Sparks at Baltimore in 1819 he preached a discourse which defined the Unitarian position of that day, and which remains memorable on that account. His sympathies were early enlisted in behalf of the slaves, and his position in the anti-slavery movement was prominent. After 1830 he gradually withdrew from church work in order to give himself more fully to ethical and social reforms. "The Ministry at Large" (1835), is one of his more noted sermons, and a selection of his sermons, entitled "The Perfect Life," appeared in 1872. Of his purely literary work the essay on the "Life and Character of Napoleon Bonaparte" is the best known. Other works are: "Evidences of Revealed Religion," "Self-Culture," "The Duty of the Free States," and an "Essay on Milton." His writings have been issued in a single volume by the American Unitarian Association, and translations of them have appeared in many languages. His American reputation is almost entirely that of a theologian and preacher, but in Europe he is more widely known and admired as a writer on social ethics. Channing's voice was one of singular melody and sweetness, and this in entire harmony with the perfect purity of his character and his lofty ideals. His death occurred at Bennington, Vermont, October 2, 1842.

## CHARACTER OF CHRIST

"This is my beloved Son, in whom I am well pleased."—Matthew xvii, 5.

THE character of Christ may be studied for various purposes. It is singularly fitted to call forth the heart, to awaken love, admiration, and moral delight. As an example it has no rival. As an evidence of his religion perhaps it yields to no other proof; perhaps no other has so

often conquered unbelief. It is chiefly to this last view of it that I now ask your attention. The character of Christ is a strong confirmation of the truth of his religion. As such I would now place it before you. I shall not, however, think only of confirming your faith; the very illustrations which I shall adduce for this purpose will show the claims of Jesus to our reverence, obedience, imitation, and fervent love.

The more we contemplate Christ's character as exhibited in the Gospel, the more we shall be impressed with its genuineness and reality. It was plainly drawn from the life. The narratives of the Evangelists bear the marks of truth perhaps beyond all other histories. They set before us the most extraordinary being who ever appeared on earth, and yet they are as artless as the stories of childhood. The authors do not think of themselves. They have plainly but one aim, to show us their Master; and they manifest the deep veneration which he inspired by leaving him to reveal himself, by giving us his actions and sayings without comment, explanation, or eulogy.

You see in these narratives no varnishing, no high coloring, no attempts to make his actions striking or to bring out the beauties of his character. We are never pointed to any circumstance as illustrative of his greatness. The Evangelists write with a calm trust in his character, with a feeling that it needed no aid from their hands, and with a deep veneration, as if comment or praise of their own were not worthy to mingle with the recital of such a life.

It is the effect of our familiarity with the history of Jesus that we are not struck by it as we ought to be. We read it before we are capable of understanding its excellence. His stupendous works become as familiar to us as the events of

ordinary life, and his high offices seem as much matters of course as the common relations which men bear to each other.

On this account it is fit for the ministers of religion to do what the Evangelists did not attempt, to offer comments on Christ's character, to bring out its features, to point men to its higher beauties, to awaken their awe by unfolding its wonderful majesty. Indeed, one of our most important functions as teachers is to give freshness and vividness to truths which have become worn, I had almost said tarnished, by long and familiar handling. We have to fight with the power of habit. Through habit men look on this glorious creation with insensibility, and are less moved by the all-enlightening sun than by a show of fireworks. It is the duty of a moral and religious teacher almost to create a new sense in men, that they may learn in what a world of beauty and magnificence they live. And so in regard to Christ's character; men become used to it until they imagine that there is something more admirable in a great man of their own day, a statesman or a conqueror, than in him the latchet of whose shoes statesmen and conquerors are not worthy to unloose.

In this discourse I wish to show that the character of Christ, taken as a whole, is one which could not have entered the thoughts of man, could not have been imagined or feigned; that it bears every mark of genuineness and truth; that it ought therefore to be acknowledged as real and of divine origin.

It is all-important, my friends, if we would feel the force of this argument, to transport ourselves to the times when Jesus lived. We are very apt to think that he was moving about in such a city as this, or among a people agreeing

with ourselves in modes of thinking and habits of life. But the truth is, he lived in a state of society singularly remote from our own.

Of all nations the Jewish was the most strongly marked. The Jew hardly felt himself to belong to the human family. He was accustomed to speak of himself as chosen by God, holy, clean; whilst the Gentiles were sinners, dogs, polluted, unclean. His common dress, the phylactery on his brow or arm, the hem of his garment, his food, the ordinary circumstances of his life, as well as his temple, his sacrifices, his ablutions, all held him up to himself as a peculiar favorite of God, and all separated him from the rest of the world. With other nations he could not eat or marry. They were unworthy of his communion. Still, with all these notions of superiority he saw himself conquered by those whom he despised. He was obliged to wear the shackles of Rome, to see Roman legions in his territory, a Roman guard near his temple, and a Roman tax-gatherer extorting, for the support of an idolatrous government and an idolatrous worship, what he regarded as due only to God. The hatred which burned in the breast of the Jew toward his foreign oppressor perhaps never glowed with equal intenseness in any other conquered state.

He had, however, his secret consolation. The time was near, the prophetic age was at hand, when Judea was to break her chains and rise from the dust. Her long-promised king and deliverer was near, and was coming to wear the crown of universal empire. From Jerusalem was to go forth his law, and all nations were to serve the chosen people of God. To this conqueror the Jews indeed ascribed the office of promoting religion; but the religion of Moses, corrupted into an outward service, was to them the perfection of human

nature. They clung to its forms with the whole energy of their souls. To the Mosaic institution they ascribed their distinction from all other nations. It lay at the foundation of their hopes of dominion. I believe no strength of prejudice ever equalled the intense attachment of the Jew to his peculiar national religion. You may judge of its power by the fact of its having been transmitted through so many ages, amidst persecution and sufferings which would have subdued any spirit but that of a Jew. You must bring these things to your mind. You must place yourselves in the midst of this singular people.

Among this singular people, burning with impatient expectation, appeared Jesus of Nazareth. His first words were, "Repent, for the kingdom of heaven is at hand." These words we hear with little emotion; but to the Jews, who had been watching for this kingdom for ages, and who were looking for its immediate manifestation, they must have been awakening as an earthquake. Accordingly we find Jesus thronged by multitudes which no building could contain. He repairs to a mountain, as affording him advantages for addressing the crowd. I see them surrounding him with eager looks, and ready to drink in every word from his lips. And what do I hear? Not one word of Judea, of Rome, of freedom, of conquest, of the glories of God's chosen people, and of the thronging of all nations to the temple on Mount Zion.

Almost every word was a death-blow to the hopes and feelings which glowed through the whole people, and were consecrated under the name of religion. He speaks of the long-expected kingdom of heaven; but speaks of it as a felicity promised to, and only to be partaken of by, the humble and pure in heart. The righteousness of the Pharisees, that

which was deemed the perfection of religion, and which the new deliverer was expected to spread far and wide, he pronounces worthless, and declares the kingdom of heaven, or of the Messiah, to be shut against all who do not cultivate a new, spiritual, and disinterested virtue.

Instead of war and victory he commands his impatient hearers to love, to forgive, to bless their enemies; and holds forth this spirit of benignity, mercy, peace, as the special badge of the people of the true Messiah. Instead of national interests and glories, he commands them to seek first a spirit of impartial charity and love, unconfined by the bounds of tribe or nation, and proclaims this to be the happiness and honor of the reign for which they hoped. Instead of this world's riches, which they expected to flow from all lands into their own, he commands them to lay up treasures in heaven, and directs them to an incorruptible, immortal life, as the true end of their being.

Nor is this all. He does not merely offer himself as a spiritual deliverer, as the founder of a new empire of inward piety and universal charity; he closes with language announcing a more mysterious office. "Many will say unto me in that day, Lord, Lord, have we not prophesied in thy name? and in thy name done many wonderful works? And then will I profess unto them, I never knew you; depart from me, ye that work iniquity." Here I meet the annunciation of a character as august as it must have been startling. I hear him foretelling a dominion to be exercised in the future world. He begins to announce, what entered largely into his future teaching, that his power was not bounded to this earth. These words I better understand when I hear him subsequently declaring that, after a painful death, he was to rise again and ascend to heaven, and there, in a state of pre-

eminent power and glory, was to be the advocate and judge of the human race.

Such are some of the views given by Jesus, of his character and reign, in the Sermon on the Mount. Immediately afterwards I hear another lesson from him, bringing out some of these truths still more strongly. A Roman centurion makes application to him for the cure of a servant whom he particularly valued; and on expressing, in a strong manner, his conviction of the power of Jesus to heal at a distance, Jesus, according to the historian, "marvelled, and said to those that followed, Verily I say unto you, I have not found so great faith in Israel; and I say unto you, that many shall come from the east and west, and shall sit down with Abraham, and Isaac, and Jacob in the kingdom of heaven; but the children of the kingdom" (that is, the Jews) "shall be cast out."

Here all the hopes which the Jews had cherished of an exclusive or peculiar possession of the Messiah's kingdom were crushed; and the reception of the despised Gentile world to all his blessings, or, in other words, the extension of his pure religion to the ends of the earth, began to be proclaimed.

Here I pause for the present, and I ask you whether the character of Jesus be not the most extraordinary in history, and wholly inexplicable on human principles. Review the ground over which we have gone. Recollect that he was born and grew up a Jew in the midst of Jews, a people burning with one passion, and throwing their whole souls into the expectation of a national and earthly deliverer. He grew up among them in poverty, seclusion, and labors fitted to contract his thoughts, purposes, and hopes; and yet we find him escaping every influence of education and society.

We find him as untouched by the feelings which prevailed universally around him, which religion and patriotism concurred to consecrate, which the mother breathed into the ear of the child, and which the teacher of the synagogue strengthened in the adult, as if he had been brought up in another world. We find him conceiving a sublime purpose, such as had never dawned on sage or hero, and see him possessed with a consciousness of sustaining a relation to God and mankind, and of being invested with powers in this world and the world to come, such as had never entered the human mind. Whence now, I ask, came the conception of this character?

Will any say it had its origin in imposture; that it was a fabrication of a deceiver? I answer, the character claimed by Christ excludes this supposition by its very nature. It was so remote from all the ideas and anticipations of the times, so unfit to awaken sympathy, so unattractive to the heathen, so exasperating to the Jew, that it was the last to enter the mind of an impostor. A deceiver of the dullest vision must have foreseen that it would expose him to bitter scorn, abhorrence, and persecution, and that he would be left to carry on his work alone, just as Jesus always stood alone and could find not an individual to enter into his spirit and design. What allurements an unprincipled, self-seeking man could find to such an enterprise, no common ingenuity can discover.

I affirm next that the sublimity of the character claimed by Christ forbids us to trace it to imposture. That a selfish, designing, depraved mind could have formed the idea and purpose of a work unparalleled in beneficence, in vastness, and in moral grandeur, would certainly be a strange departure from the laws of the human mind. I add, that if an

impostor could have lighted on the conception of so sublime and wonderful a work as that claimed by Jesus, he could not, I say, he *could* not have thrown into his personation of it the air of truth and reality. The part would have been too high for him. He would have overacted it or fallen short of it perpetually. His true character would have rebelled against his assumed one. We should have seen something strained, forced, artificial, awkward, showing that he was not in his true sphere. To act up to a character so singular and grand, and one for which no precedent could be found, seems to me utterly impossible for a man who had not the true spirit of it, or who was only wearing it as a mask.

Now, how stands the case with Jesus? Bred a Jewish peasant or carpenter, he issues from obscurity, and claims for himself a divine office, a superhuman dignity, such as had not been imagined; and in no instance does he fall below the character. The peasant, and still more the Jew, wholly disappears.

We feel that a new being, of a new order of mind, is taking a part in human affairs. There is a native tone of grandeur and authority in his teaching. He speaks as a being related to the whole human race. His mind never shrinks within the ordinary limits of human agency. A narrower sphere than the world never enters his thoughts. He speaks in a natural, spontaneous style, of accomplishing the most arduous and important change in human affairs. This unlabored manner of expressing great thoughts is particularly worthy of attention. You never hear from Jesus that swelling, pompous, ostentatious language, which almost necessarily springs from an attempt to sustain a character above our powers. He talks of his glories as one to whom they were familiar, and of his intimacy and oneness with God as simply as a

child speaks of his connection with his parents. He speaks of saving and judging the world, of drawing all men to himself, and of giving everlasting life, as we speak of the ordinary powers which we exert. He makes no set harangues about the grandeur of his office and character. His consciousness of it gives a hue to his whole language, breaks out in indirect, undesigned expressions, showing that it was the deepest and most familiar of his convictions?

This argument is only to be understood by reading the Gospels with a wakeful mind and heart. It does not lie on their surface, and it is the stronger for lying beneath it. When I read these books with care, when I trace the unaffected majesty which runs through the life of Jesus, and see him never falling below his sublime claims amidst poverty, and scorn, and in his last agony, I have a feeling of the reality of his character which I cannot express. I feel that the Jewish carpenter could no more have conceived and sustained this character under motives of imposture than an infant's arm could repeat the deeds of Hercules, or his unawakened intellect comprehend and rival the matchless works of genius.

Am I told that the claims of Jesus had their origin not in imposture, but in enthusiasm; that the imagination, kindled by strong feeling, overpowered the judgment so far as to give him the notion of being destined to some strange and unparalleled work? I know that enthusiasm, or a kindled imagination, has great power; and we are never to lose sight of it, in judging of the claims of religious teachers. But I say first, that, except in cases where it amounts to insanity, enthusiasm works, in a greater or less degree, according to a man's previous conceptions and modes of thought.

In Judea, where the minds of men were burning with feverish expectation of a Messiah, I can easily conceive of a Jew imagining that in himself this ardent conception, this ideal of glory, was to be realized. I can conceive of his seating himself in fancy on the throne of David, and secretly pondering the means of his appointed triumphs. But that a Jew should fancy himself the Messiah, and at the same time should strip that character of all the attributes which had fired his youthful imagination and heart — that he should start aside from all the feelings and hopes of his age, and should acquire a consciousness of being destined to a wholly new career, and one as unbounded as it was new, this is exceedingly improbable; and one thing is certain, that an imagination so erratic, so ungoverned, and able to generate the conviction of being destined to a work so immeasurably disproportioned to the power of the individual, must have partaken of insanity.

Now, is it conceivable that an individual, mastered by so wild and fervid an imagination, should have sustained the dignity claimed by Christ, should have acted worthily the highest part ever assumed on earth? Would not his enthusiasm have broken out amidst the peculiar excitements of the life of Jesus, and have left a touch of madness on his teaching and conduct? Is it to such a man that we should look for the inculcation of a new and perfect form of virtue, and for the exemplification of humanity in its fairest form?

The charge of an extravagant, self-deluding enthusiasm is the last to be fastened on Jesus. Where can we find the traces of it in his history? Do we detect them in the calm authority of his precepts; in the mild, practical, and beneficent spirit of his religion; in the unlabored simplicity of the language with which he unfolds his high powers and

the sublime truths of religion; or in the good sense, the knowledge of human nature, which he always discovers in his estimate and treatment of the different classes of men with whom he acted? Do we discover this enthusiasm in the singular fact that, whilst he claimed power in the future world, and always turned men's minds to Heaven, he never indulged his own imagination or stimulated that of his disciples by giving vivid pictures or any minute description of that unseen state?

The truth is, that, remarkable as was the character of Jesus, it was distinguished by nothing more than by calmness and self-possession. This trait pervades his other excellences. How calm was his piety! Point me, if you can, to one vehement, passionate expression of his religious feelings. Does the Lord's Prayer breathe a feverish enthusiasm? The habitual style of Jesus on the subject of religion, if introduced into many churches of his followers at the present day, would be charged with coldness. The calm and the rational character of his piety is particularly seen in the doctrine which he so earnestly inculcates, that disinterested love and self-denying service to our fellow creatures are the most acceptable worship we can offer to our Creator.

His benevolence, too, though singularly earnest and deep, was composed and serene. He never lost the possession of himself in his sympathy with others; was never hurried into the impatient and rash enterprises of an enthusiastic philanthropy; but did good with the tranquillity and constancy which mark the providence of God. The depth of his calmness may best be understood by considering the opposition made to his claims.

His labors were everywhere insidiously watched and industriously thwarted by vindictive foes who had even conspired

to compass, through his death, the ruin of his cause. Now, a feverish enthusiasm which fancies itself to be intrusted with a great work of God is singularly liable to impatient indignation under furious and malignant opposition. Obstacles increase its vehemence; it becomes more eager and hurried in the accomplishment of its purposes, in proportion as they are withstood.

Be it therefore remembered that the malignity of Christ's foes, though never surpassed, and for the time triumphant, never robbed him of self-possession, roused no passion, and threw no vehemence or precipitation into his exertions. He did not disguise from himself or his followers the impression made on the multitude by his adversaries. He distinctly foresaw the violent death towards which he was fast approaching. Yet, confiding in God and in the silent progress of his truth, he possessed his soul in peace. Not only was he calm, but his calmness rises into sublimity when we consider the storms which raged around him and the vastness of the prospects in which his spirit found repose. I say then that serenity and self-possession were peculiarly the attributes of Jesus. I affirm that the singular and sublime character claimed by Jesus can be traced neither to imposture nor to an ungoverned, insane imagination. It can only be accounted for by its truth, its reality.

I began with observing how our long familiarity with Jesus blunts our minds to his singular excellence. We probably have often read of the character which he claimed, without a thought of its extraordinary nature. But I know nothing so sublime. The plans and labors of statesmen sink into the sports of children when compared with the work which Jesus announced, and to which he devoted himself in life and death with a thorough consciousness of its reality.

The idea of changing the moral aspect of the whole earth, of recovering all nations to the pure and inward worship of one God and to a spirit of divine and fraternal love, was one of which we meet not a trace in philosopher or legislator before him. The human mind had given no promise of this extent of view. The conception of this enterprise, and the calm, unshaken expectation of success in one who had no station and no wealth, who cast from him the sword with abhorrence, and who forbade his disciples to use any weapons but those of love, discover a wonderful trust in the power of God and the power of love; and when to this we add that Jesus looked not only to the triumph of his pure faith in the present world, but to a mighty and beneficent power in Heaven, we witness a vastness of purpose, a grandeur of thought and feeling so original, so superior to the workings of all other minds, that nothing but our familiarity can prevent our contemplation of it with wonder and profound awe.

I confess, when I can escape the deadening power of habit, and can receive the full import of such passages as the following: — "Come unto me, all ye that labor and are heavy laden, and I will give you rest," — "I am come to seek and to save that which was lost," — "He that confesseth me before men, him will I confess before my Father in Heaven," — "Whosoever shall be ashamed of me before men, of him shall the Son of Man be ashamed when he cometh in the glory of the Father with the holy angels," — "In my Father's house are many mansions; I go to prepare a place for you:" — I say, when I can succeed in realizing the import of such passages, I feel myself listening to a being such as never before and never since spoke in human language. I am awed by the consciousness of greatness which these simple words express; and when I connect this greatness with the

proofs of Christ's miracles which I gave you in a former discourse, I am compelled to exclaim with the centurion, "Truly, this was the Son of God."

I have thus, my friends, set before you one view of Jesus Christ, which shows him to have been the most extraordinary being who ever lived. I invite your attention to another, and I am not sure but that it is still more striking. You have seen the consciousness of greatness which Jesus possessed; I now ask you to consider how, with this consciousness, he lived among men.

To convey my meaning more distinctly, let me avail myself of an imaginary case. Suppose you had never heard the particulars of Christ's history, but were told in general that, ages ago, an extraordinary man appeared in the world, whose mind was wholly possessed with the idea of having come from God, who regarded himself as clothed with divine power and charged with the sublimest work in the universe, who had the consciousness of sustaining a relation of unexampled authority and beneficence, not to one nation or age, but to all nations and all times, and who anticipated a spiritual kingdom and everlasting power beyond the grave.

Suppose you should be told that, on entering the world, he found not one mind able to comprehend his views, and felt himself immeasurably exalted in thought and purpose above all around him; and suppose you should then be asked what appearance, what mode of life, what tone, what air, what deportment, what intercourse with the multitude seemed to you to suit such a character, and were probably adopted by him; how would you represent him to your minds?

Would you not suppose that, with this peculiar character, he adopted some peculiar mode of life, expressive of his superiority to and separation from all other men? Would

you not expect something distinctive in his appearance? Would you not expect him to assume some badge and to exact some homage? Would you not expect that, with a mind revolving such vast thoughts, and raised above the earth, he would look coldly on the ordinary gratifications of men? that, with a mind spreading itself over the world and meditating its subjection to his truth, he would take little interest in ordinary individuals? and that possessing, in his own doctrine and character, a standard of sublime virtue, he would attach little importance to the low attainments of the ignorant and superstitious around him? Would you not make him a public character and expect to see him laboring to establish his ascendancy among public men? Would you not expect to see his natural affections absorbed in his universal philanthropy; and would not private attachments seem to you quite inconsistent with his vast superiority and the immensity of his purposes? Would you not expect him to avail himself of the best accommodations the world could afford? Would you not expect the great Teacher to select the most sacred spots for his teaching, and the Lord of all to erect some conspicuous seat from which should go forth the laws which were to reach the ends of the earth? Would you not, in a word, expect this extraordinary personage to surround himself with extraordinary circumstances, and to maintain a separation from the degraded multitude around him?

Such, I believe, would be the expectation of us all; and what was the case with Jesus? Read his history. He comes with the consciousness of more than human greatness, to accomplish an infinite work, and where do you find him? What is his look? what his manner? How does he converse, how live with men? His appearance, mode of life, and intercourse are directly the reverse of what we should have sup-

posed. He comes in the ordinary dress of the class of society in which he had grown up. He retreats to no solitude, like John, to strike awe, nor seeks any spot which had been consecrated in Jewish history. Would you find him? Go to the house of Peter, the fisherman. Go to the well of Samaria, where he rests after the fatigues of his journey. Would you hear him teach? You may find him, indeed, sometimes in the temple, for that was a place of general resort; but commonly you may find him instructing in the open air, now from a boat on the Galilean lake, now on a mount, and now in the streets of the crowded city. He has no place wherein to lay his head, nor will he have one. A rich ruler comes and falls at his feet. He says, "Go, sell what thou hast and give to the poor, and then come and follow me."

Nor was this all. Something more striking remains to be told. He did not merely live in the streets and in the houses of fishermen. In these places, had he pleased, he might have cleared a space around him, and raised a barrier between himself and others. But in these places and everywhere he lived with men as a man, a brother, a friend, sometimes a servant; and entered, with a deep, unexampled sympathy, into the feelings, interests, wants, sorrows of individuals, of ordinary men, and even of the most depressed, despised, and forsaken of the race.

Here is the most striking view of Jesus. This combination of the spirit of humanity, in its lowliest, tenderest form, with the consciousness of unrivalled and divine glories, is the most wonderful distinction of this wonderful character. Here we learn the chief reason why he chose poverty and refused every peculiarity of manner and appearance. He did this because he desired to come near to the multitude of men, to make himself accessible to all, to pour out the

fullness of his sympathy upon all, to know and weep over their sorrows and sins, and to manifest his interest in their affections and joys.

I can offer but a few instances of this sympathy of Christ with human nature in all its varieties of character and condition. But how beautiful are they! At the very opening of his ministry we find him present at a marriage to which he and his disciples had been called. Among the Jews this was an occasion of peculiar exhilaration and festivity; but Jesus did not therefore decline it. He knew what affections, joys, sorrows, and moral influences are bound up in this institution, and he went to the celebration, not as an ascetic, to frown on its bright hopes and warm congratulations, but to sanction it by his presence and to heighten its enjoyments.

How little does this comport with the solitary dignity which we should have pronounced most accordant with his character, and what a spirit of humanity does it breathe! But this event stands almost alone in his history. His chief sympathy was not with them that rejoice, but with the ignorant, sinful, sorrowful; and with these we find him cultivating an habitual intimacy. Though so exalted in thought and purpose, he chose uneducated men to be his chief disciples; and he lived with them, not as a superior, giving occasional and formal instruction, but became their companion, travelled with them on foot, slept in their dwellings, sat at their tables, partook of their plain fare, communicated to them his truth in the simplest form; and though they constantly misunderstood him and never perceived his full meaning he was never wearied with teaching them.

So familiar was his intercourse that we find Peter reproving him with an affectionate zeal for announcing his approaching death, and we find John leaning on his bosom. Of his

last discourse to these disciples I need not speak. It stands alone among all writings for the union of tenderness and majesty. His own sorrows are forgotten in his solicitude to speak peace and comfort to his humble followers.

The depth of his human sympathies was beautifully manifested when children were brought him. His disciples, judging as all men would judge, thought that he who was sent to wear the crown of universal empire had too great a work before him to give his time and attention to children, and reproved the parents who brought them; but Jesus, rebuking his disciples, called to him the children. Never, I believe, did childhood awaken such deep love as at that moment. He took them in his arms and blessed them, and not only said that "of such was the kingdom of heaven," but added, "He that receiveth a little child in my name, receiveth me;" so entirely did he identify himself with this primitive, innocent, beautiful form of human nature.

There was no class of human beings so low as to be beneath his sympathy. He not merely taught the publican and sinner, but, with all his consciousness of purity, sat down and dined with them, and, when reproved by the malignant Pharisee for such companionship, answered by the touching parables of the Lost Sheep and the Prodigal Son, and said, "I am come to seek and to save that which was lost."

No personal suffering dried up this fountain of love in his breast. On his way to the cross he heard some women of Jerusalem bewailing him, and at the sound, forgetting his own grief, he turned to them and said, "Women of Jerusalem, weep not for me, but weep for yourselves and your children." On the cross, whilst his mind was divided between intense suffering and the contemplation of the infinite blessings in which his sufferings were to issue, his eye lighted on

his mother and John, and the sensibilities of a son and a friend mingled with the sublime consciousness of the universal Lord and Saviour. Never before did natural affection find so tender and beautiful an utterance. To his mother he said, directing her to John, "Behold thy son; I leave my beloved disciple to take my place, to perform my filial offices, and to enjoy a share of that affection with which you have followed me through life;" and to John he said, "Behold thy mother; I bequeath to you the happiness of ministering to my dearest earthly friend." Nor is this all. The spirit of humanity had one higher triumph. Whilst his enemies surrounded him with a malignity unsoftened by his last agonies, and, to give the keenest edge to insult, reminded him scoffingly of the high character and office which he had claimed, his only notice of them was the prayer, "Father, forgive them, they know not what they do."

Thus Jesus lived with men; with the consciousness of unutterable majesty he joined a lowliness, gentleness, humanity, and sympathy, which have no example in human history. I ask you to contemplate this wonderful union. In proportion to the superiority of Jesus to all around him was the intimacy, the brotherly love, with which he bound himself to them. I maintain that this is a character wholly remote from human conception. To imagine it to be the production of imposture or enthusiasm shows a strange unsoundness of mind. I contemplate it with a veneration second only to the profound awe with which I look up to God. It bears no mark of human invention. It was real. It belonged to and it manifested the beloved Son of God.

But I have not done. May I ask your attention a few moments more? We have not yet reached the depth of Christ's character. We have not touched the great principle

on which his wonderful sympathy was founded, and which endeared to him his office of universal Saviour. Do you ask what this deep principle was? I answer, it was his conviction of the greatness of the human soul. He saw in man the impress and image of the divinity, and therefore thirsted for his redemption, and took the tenderest interest in him, whatever might be the rank, character, or condition in which he was found. This spiritual view of man pervades and distinguishes the teaching of Christ.

Jesus looked on men with an eye which pierced beneath the material frame. The body vanished before him. The trappings of the rich, the rags of the poor, were nothing to him. He looked through them, as though they did not exist, to the soul; and there, amidst clouds of ignorance and plague-spots of sin, he recognized a spiritual and immortal nature, and the germs of power and perfection which might be unfolded forever. In the most fallen and depraved man he saw a being who might become an angel of light.

Still more, he felt that there was nothing in himself to which men might not ascend. His own lofty consciousness did not sever him from the multitude; for he saw in his own greatness the model of what men might become. So deeply was he thus impressed that, again and again, in speaking of his future glories, he announced that in these his true followers were to share. They were to sit on his throne and partake of his beneficent power.

Here I pause, and indeed I know not what can be added to heighten the wonder, reverence, and love which are due to Jesus. When I consider him, not only as possessed with the consciousness of an unexampled and unbounded majesty, but as recognizing a kindred nature in human beings, and living and dying to raise them to a participation of his divine

glories; and when I see him under these views allying himself to men by the tenderest ties, embracing them with a spirit of humanity which no insult, injury, or pain could for a moment repel or overpower, I am filled with wonder as well as reverence and love. I feel that this character is not of human invention, that it was not assumed through fraud, or struck out by enthusiasm; for it is infinitely above their reach. When I add this character of Jesus to the other evidences of his religion, it gives to what before seemed so strong a new and a vast accession of strength; I feel as if I could not be deceived.

The Gospels must be true; they were drawn from a living original; they were founded on reality. The character of Jesus is not a fiction; he was what he claimed to be, and what his followers attested. Nor is this all. Jesus not only was, he is still the Son of God, the Saviour of the world. He exists now; he has entered that heaven to which he always looked forward on earth. There he lives and reigns. With a clear, calm faith I see him in that state of glory; and I confidently expect, at no distant period, to see him face to face. We have indeed no absent friend whom we shall so surely meet.

Let us then, my hearers, by imitation of his virtues and obedience to his word, prepare ourselves to join him in those pure mansions where he is surrounding himself with the good and pure of our race, and will communicate to them forever his own spirit, power, and joy.

# BENTON

THOMAS H. BENTON was born in Hillsborough, North Carolina, March 14, 1782. He studied for a time at the University of North Carolina, but for his remarkable acquirements he was mainly indebted to the process of self-education, which continued all his life. From Tennessee, whither his family had removed, he passed to St. Louis, where for a time he edited the "Missouri Enquirer." In 1820 he was sent from Missouri to the United States Senate, and kept a place in that body for thirty years. After being defeated for the Senate in 1850, he was two years later elected to the House of Representatives. In 1856 he was an unsuccessful candidate for Governor of the State of Missouri. He died on April 10, 1858, at Washington. As the unwavering advocate of a currency of the precious metals issued only by the government, Benton is identified in the popular mind with a permanent question of public policy. He belongs, in the same group with Webster, Clay and Calhoun, among the most remarkable American speakers and statesmen of his time.

## ON THE EXPUNGING RESOLUTION

UNITED STATES SENATE, JANUARY 12, 1837

*Mr. President:*

IT IS now three years since the resolve was adopted by the Senate, which it is my present motion to expunge from the journal. At the moment that this resolve was adopted, I gave notice of my intention to move to expunge it; and then expressed my confident belief that the motion would eventually prevail. That expression of confidence was not an ebullition of vanity, or a presumptuous calculation, intended to accelerate the event it affected to foretell. It was not a vain boast, or an idle assumption, but was the result of a deep conviction of the injustice done

President Jackson, and a thorough reliance upon the justice of the American people. I felt that the President had been wronged; and my heart told me that this wrong would be redressed! The event proves that I was not mistaken. The question of expunging this resolution has been carried to the people, and their decision has been had upon it. They decide in favor of the expurgation; and their decision has been both made and manifested, and communicated to us in a great variety of ways. A great number of States have expressly instructed their Senators to vote for this expurgation. A very great majority of the States have elected Senators and Representatives to Congress, upon the express ground of favoring this expurgation. The Bank of the United States, which took the initiative in the accusation against the President, and furnished the material, and worked the machinery which was used against him, and which was then so powerful on this floor, has become more and more odious to the public mind, and musters now but a slender phalanx of friends in the two Houses of Congress. The late Presidential election furnishes additional evidence of public sentiment. The candidate who was the friend of President Jackson, the supporter of his administration, and the avowed advocate for the expurgation, has received a large majority of the suffrages of the whole Union, and that after an express declaration of his sentiments on this precise point. The evidence of the public will, exhibited in all these forms, is too manifest to be mistaken, too explicit to require illustration, and too imperative to be disregarded. Omitting details and specific enumeration of proofs, I refer to our own files for the instructions to expunge—to the complexion of the two Houses for the temper of the people—to the denationalized condition of the Bank

of the United States for the fate of the imperious accuser—and to the issue of the Presidential election for the answer of the Union.

All these are pregnant proofs of the public will, and the last pre-eminently so: because, both the question of the expurgation, and the form of the process, were directly put in issue upon it. . . .

Assuming, then, that we have ascertained the will of the people on this great question, the inquiry presents itself, how far the expression of that will ought to be conclusive of our action here. I hold that it ought to be binding and obligatory upon us; and that, not only upon the principles of representative government, which require obedience to the known will of the people, but also in conformity to the principles upon which the proceeding against President Jackson was conducted when the sentence against him was adopted. Then everything was done with especial reference to the will of the people. Their impulsion was assumed to be the sole motive to action; and to them the ultimate verdict was expressly referred. The whole machinery of alarm and pressure—every engine of political and moneyed power—was put in motion, and worked for many months, to excite the people against the President; and to stir up meetings, memorials, petitions, travelling committees, and distress deputations against him; and each symptom of popular discontent was hailed as an evidence of public will, and quoted here as proof that the people demanded the condemnation of the President. Not only legislative assemblies, and memorials from large assemblies, were then produced here as evidence of public opinion, but the petitions of boys under age, the remonstrances of a few signers, and the results of the most inconsiderable elections

were ostentatiously paraded and magnified, as the evidence of the sovereign will of our constituents. Thus, sir, the public voice was everything, while that voice, partially obtained through political and pecuniary machinations, was adverse to the President. Then the popular will was the shrine at which all worshipped. Now, when that will is regularly, soberly, repeatedly, and almost universally expressed through the ballot-boxes, at the various elections, and turns out to be in favor of the President, certainly no one can disregard it, nor otherwise look at it than as the solemn verdict of the competent and ultimate tribunal upon an issue fairly made up, fully argued, and duly submitted for decision. As such verdict, I receive it. As the deliberate verdict of the sovereign people, I bow to it. I am content. I do not mean to reopen the case nor to recommence the argument. I leave that work to others, if any others choose to perform it. For myself, I am content; and, dispensing with further argument, I shall call for judgment, and ask to have execution done, upon that unhappy journal, which the verdict of millions of freemen finds guilty of bearing on its face an untrue, illegal, and unconstitutional sentence of condemnation against the approved President of the Republic.

But, while declining to reopen the argument of this question, and refusing to tread over again the ground already traversed, there is another and a different task to perform; one which the approaching termination of President Jackson's administration makes peculiarly proper at this time, and which it is my privilege, and perhaps my duty, to execute, as being the suitable conclusion to the arduous contest in which we have been so long engaged. I allude to the general tenor of his administration, and to its effect,

for good or for evil, upon the condition of his country. This is the proper time for such a view to be taken. The political existence of this great man now draws to a close. In little more than forty days he ceases to be an object of political hope to any, and should cease to be an object of political hate, or envy, to all. Whatever of motive the servile and time-serving might have found in his exalted station for raising the altar of adulation, and burning the incense of praise before him, that motive can no longer exist. The dispenser of the patronage of an empire, the chief of this great confederacy of States, is soon to be a private individual, stripped of all power to reward, or to punish. His own thoughts, as he has shown us in the concluding paragraph of that message which is to be the last of its kind that we shall ever receive from him, are directed to that beloved retirement from which he was drawn by the voice of millions of freemen, and to which he now looks for that interval of repose which age and infirmities require. Under these circumstances, he ceases to be a subject for the ebullition of the passions, and passes into a character for the contemplation of history. Historically, then, shall I view him; and limiting this view to his civil administration, I demand, where is there a Chief Magistrate of whom so much evil has been predicted, and from whom so much good has come? Never has any man entered upon the Chief Magistracy of a country under such appalling predictions of ruin and woe! never has any one been so pursued with direful prognostications! never has any one been so beset and impeded by a powerful combination of political and moneyed confederates! never has any one in any country where the administration of justice has risen above the knife or the bowstring, been so lawlessly and shame-

lessly tried and condemned by rivals and enemies, without hearing, without defence, without the forms of law and justice! History has been ransacked to find examples of tyrants sufficiently odious to illustrate him by comparison. Language has been tortured to find epithets sufficiently strong to paint him in description. Imagination has been exhausted in her efforts to deck him with revolting and inhuman attributes. Tyrant, despot, usurper; destroyer of the liberties of his country; rash, ignorant, imbecile; endangering the public peace with all foreign nations; destroying domestic prosperity at home; ruining all industry, all commerce, all manufactures; annihilating confidence between man and man; delivering up the streets of populous cities to grass and weeds, and the wharves of commercial towns to the encumbrance of decaying vessels; depriving labor of all reward; depriving industry of all employment; destroying the currency; plunging an innocent and happy people from the summit of felicity to the depths of misery, want, and despair. Such is the faint outline, followed up by actual condemnation, of the appalling denunciations daily uttered against this one MAN, from the moment he became an object of political competition, down to the concluding moment of his political existence.

The sacred voice of inspiration has told us that there is a time for all things. There certainly has been a time for every evil that human nature admits of to be vaticinated of President Jackson's administration; equally certain the time has now come for all rational and well-disposed people to compare the predictions with the facts, and to ask themselves if these calamitous prognostications have been verified by events? Have we peace, or war, with foreign nations? Certainly, we have peace with all the world! peace

with all its benign, and felicitous, and beneficent influences! Are we respected, or despised abroad? Certainly the American name never was more honored throughout the four quarters of the globe than in this very moment. Do we hear of indignity or outrage in any quarter? of merchants robbed in foreign ports? of vessels searched on the high seas? of American citizens impressed into foreign service? of the national flag insulted anywhere? On the contrary, we see former wrongs repaired; no new ones inflicted. France pays twenty-five millions of francs for spoliations committed thirty years ago; Naples pays two millions one hundred thousand ducats for wrongs of the same date; Denmark pays six hundred and fifty thousand rix-dollars for wrongs done a quarter of a century ago; Spain engages to pay twelve millions of reals vellon for injuries of fifteen years' date; and Portugal, the last in the list of former aggressors, admits her liability and only waits the adjustment of details to close her account by adequate indemnity. So far from war, insult, contempt, and spoliation from abroad, this denounced administration has been the season of peace and goodwill and the auspicious era of universal reparation. So far from suffering injury at the hands of foreign powers, our merchants have received indemnities for all former injuries. It has been the day of accounting, of settlement, and of retribution. The total list of arrearages, extending through four successive previous administrations, has been closed and settled up. The wrongs done to commerce for thirty years back, and under so many different Presidents, and indemnities withheld from all, have been repaired and paid over under the beneficent and glorious administration of President Jackson. But one single instance of outrage has occurred, and

that at the extremities of the world, and by a piratical horde, amenable to no law but the law of force. The Malays of Sumatra committed a robbery and massacre upon an American vessel. Wretches! they did not then know that JACKSON was President of the United States! and that no distance, no time, no idle ceremonial of treating with robbers and assassins, was to hold back the arm of justice. Commodore Downes went out. His cannon and his bayonets struck the outlaws in their den. They paid in terror and blood for the outrage which was committed; and the great lesson was taught to these distant pirates—to our antipodes themselves—that not even the entire diameter of this globe could protect them, and that the name of American citizen, like that of Roman citizen in the great days of the Republic and of the empire, was to be the inviolable passport of all that wore it throughout the whole extent of the habitable world. . . .

From President Jackson, the country has first learned the true theory and practical intent of the Constitution, in giving to the Executive a qualified negative on the legislative power of Congress. Far from being an odious, dangerous, or kingly prerogative, this power, as vested in the President, is nothing but a qualified copy of the famous veto power vested in the tribunes of the people among the Romans, and intended to suspend the passage of a law until the people themselves should have time to consider it. The qualified veto of the President destroys nothing; it only delays the passage of a law, and refers it to the people for their consideration and decision. It is the reference of a law, not to a committee of the House, or of the whole House, but to the committee of the whole Union. It is a recommitment of the bill to the people, for them to examine

and consider; and if, upon this examination, they are content to pass it, it will pass at the next session. The delay of a few months is the only effect of a veto, in a case where the people shall ultimately approve a law; where they do not approve it, the interposition of the veto is the barrier which saves them the adoption of a law, the repeal of which might afterward be almost impossible. The qualified negative is, therefore, a beneficent power, intended as General Hamilton expressly declares in the "Federalist," to protect, first, the executive department from the encroachments of the legislative department; and, secondly, to preserve the people from hasty, dangerous or criminal legislation on the part of their representatives. This is the design and intention of the veto power; and the fear expressed by General Hamilton was, that Presidents, so far from exercising it too often, would not exercise it as often as the safety of the people required; that they might lack the moral courage to stake themselves in opposition to a favorite measure of the majority of the two Houses of Congress; and thus deprive the people, in many instances, of their right to pass upon a bill before it becomes a final law. The cases in which President Jackson has exercised the veto power have shown the soundness of these observations. No ordinary President would have staked himself against the Bank of the United States and the two Houses of Congress in 1832. It required President Jackson to confront that power—to stem that torrent—to stay the progress of that charter, and to refer it to the people for their decision. His moral courage was equal to the crisis. He arrested the charter until it could be got to the people, and they have arrested it forever. Had he not done so, the charter would have become law, and its repeal almost impossible. The people of the whole Union

would now have been in the condition of the people of Pennsylvania, bestrode by the monster, in daily conflict with him, and maintaining a doubtful contest for supremacy between the government of a State and the directory of a moneyed corporation.

To detail specific acts which adorn the administration of President Jackson and illustrate the intuitive sagacity of his intellect, the firmness of his mind, his disregard of personal popularity, and his entire devotion to the public good, would be inconsistent with this rapid sketch, intended merely to present general views, and not to detail single actions, howsoever worthy they may be of a splendid page in the volume of history. But how can we pass over the great measure of the removal of the public moneys from the Bank of the United States in the autumn of 1833? that wise, heroic, and masterly measure of prevention which has rescued an empire from the fangs of a merciless, revengeful, greedy, insatiate, implacable, moneyed power!

It is a remark for which I am indebted to the philosophic observation of my most esteemed colleague and friend [pointing to Dr. Linn], that, while it requires far greater talent to foresee an evil before it happens, and to arrest it by precautionary measures, than it requires to apply an adequate remedy to the same evil after it has happened, yet the applause bestowed by the world is always greatest in the latter case.

Of this the removal of the public moneys from the Bank of the United States is an eminent instance. The veto of 1832, which arrested the charter which Congress had granted, immediately received the applause and approbation of a majority of the Union; the removal of the deposits, which prevented the bank from forcing a recharter, was disapproved

by a large majority of the country, and even of his own friends; yet the veto would have been unavailing, and the bank would inevitably have been rechartered, if the deposits had not been removed. The immense sums of public money since accumulated would have enabled the bank, if she had retained the possession of it, to have coerced a recharter. Nothing but the removal could have prevented her from extorting a recharter from the sufferings and terrors of the people. If it had not been for that measure the previous veto would have been unavailing; the bank would have been again installed in power, and this entire federal government would have been held as an appendage to that bank, and administered according to her directions and by her nominees. That great measure of prevention the removal of the deposits, though feebly and faintly supported by friends at first, has expelled the bank from the field and driven her into abeyance under a State charter. She is not dead, but, holding her capital and stockholders together under a State charter, she has taken a position to watch events and to profit by them. The royal tiger has gone into the jungle! and, crouched on his belly, he awaits the favorable moment for emerging from his cover and springing on the body of the unsuspicious traveller!

The Treasury order for excluding paper money from the land offices is another wise measure originating in an enlightened forecast and preventing great mischiefs. The President foresaw the evils of suffering a thousand streams of paper money, issuing from a thousand different banks, to discharge themselves on the national domain. He foresaw that if these currents were allowed to run their course the public lands would be swept away, the Treasury would be filled with irredeemable paper, a vast number of banks must

be broken by their folly, and the cry set up that nothing but a national bank could regulate the currency. He stopped the course of these streams of paper, and, in so doing, has saved the country from a great calamity and excited anew the machinations of those whose schemes of gain and mischief have been disappointed, and who had counted on a new edition of panic and pressure, and again saluted Congress with the old story of confidence destroyed, currency ruined, prosperity annihilated, and distress produced, by the tyranny of one man. They began their lugubrious song; but ridicule and contempt have proved too strong for money and insolence; and the panic-letter of the ex-president of the denationalized bank, after limping about for a few days, has shrunk from the lash of public scorn and disappeared from the forum of public debate.

The difficulty with France: what an instance it presents of the superior sagacity of President Jackson over all the commonplace politicians who beset and impede his administration at home! That difficulty, inflamed and aggravated by domestic faction, wore, at one time, a protentous aspect; the skill, firmness, elevation of purpose, and manly frankness of the President avoided the danger, accomplished the object, commanded the admiration of Europe, and retained the friendship of France. He conducted the delicate affair to a successful and mutually honorable issue. All is amicably and happily terminated, leaving not a wound, nor even a scar, behind — leaving the Frenchman and American on the ground on which they have stood for fifty years and should forever stand; the ground of friendship, respect, good will, and mutual wishes for the honor, happiness, and prosperity of each other.

But why this specification? So beneficent and so glorious

has been the administration of this President, that where to begin and where to end in the enumeration of great measures would be the embarrassment of him who has his eulogy to make. He came into office the first of generals; he goes out the first of statesmen. His civil competitors have shared the fate of his military opponents; and Washington city has been to the American politicians who have assailed him what New Orleans was to the British generals who attacked his lines. Repulsed! driven back! discomfited! crushed! has been the fate of all assailants, foreign and domestic, civil and military. At home and abroad the impress of his genius and of his character is felt. He has impressed upon the age in which he lives the stamp of his arms, of his diplomacy, and of his domestic policy.

In a word, so transcendent have been the merits of his administration that they have operated a miracle upon the minds of his most inveterate opponents. He has expunged their objections to military chieftains! He has shown them that they were mistaken; that military men were not the dangerous rulers they had imagined, but safe and prosperous conductors of the vessel of state. He has changed their fear into love. With visible signs they admit their error, and, instead of deprecating, they now invoke the reign of chieftains. They labored hard to procure a military successor to the present incumbent; and if their love goes on increasing at the same rate the republic may be put to the expense of periodical wars to breed a perpetual succession of these chieftains to rule over them and their posterity forever.

To drop this irony, which the inconsistency of mad opponents has provoked, and to return to the plain delineations of historical painting, the mind instinctively dwells on the vast and unprecedented popularity of this President. Great is

the influence, great the power, greater than any man ever before possessed in our America, which he has acquired over the public mind.

And how has he acquired it? Not by the arts of intrigue, or the juggling tricks of diplomacy; not by undermining rivals or sacrificing public interests for the gratification of classes or individuals. But he has acquired it, first, by the exercise of an intuitive sagacity which, leaving all book learning at an immeasurable distance behind, has always enabled him to adopt the right remedy at the right time, and to conquer soonest when the men of forms and office thought him most near to ruin and despair; next, by a moral courage which knew no fear when the public good beckoned him to go on.

Last, and chiefest, he has acquired it by an open honesty of purpose which knew no concealments; by a straightforwardness of action which disdained the forms of office and the arts of intrigue; by a disinterestedness of motive which knew no selfish or sordid calculation; a devotedness of patriotism which staked everything personal on the issue of every measure which the public welfare required him to adopt. By these qualities and these means he has acquired his prodigious popularity and his transcendent influence over the public mind; and if there are any who envy that influence and popularity let them envy also, and emulate if they can, the qualities and means by which they were acquired.

Great has been the opposition to President Jackson's administration; greater, perhaps, than ever has been exhibited against any government, short of actual insurrection and forcible resistance. Revolution has been proclaimed! and everything has been done that could be expected to pro-

duce revolution. The country has been alarmed, agitated, convulsed. From the Senate chamber to the village bar-room, from one end of the continent to the other, denunciation, agitation, excitement, has been the order of the day. For eight years the President of this republic has stood upon a volcano, vomiting fire and flames upon him, and threatening the country itself with ruin and desolation if the people did not expel the usurper, despot, and tyrant, as he was called, from the high place to which the suffrages of millions of freemen had elevated him.

Great is the confidence which he has always reposed in the discernment and equity of the American people. I have been accustomed to see him for many years and under many discouraging trials; but never saw him doubt, for an instant, the ultimate support of the people.

It was my privilege to see him often, and during the most gloomy period of the panic conspiracy, when the whole earth seemed to be in commotion against him, and when many friends were faltering, and stout hearts were quailing before the raging storm which bank machination and senatorial denunciation had conjured up to overwhelm him. I saw him in the darkest moments of this gloomy period, and never did I see his confidence in the ultimate support of his fellow citizens forsake him for an instant.

He always said the people would stand by those who stood by them; and nobly have they justified that confidence! That verdict, the voice of millions, which now demands the expurgation of that sentence which the Senate and the bank then pronounced upon him, is the magnificent response of the people's hearts to the implicit confidence which he then reposed in them. But it was not in the people only that he had confidence; there was another, and a far higher Power,

to which he constantly looked to save the country and its defenders from every danger; and signal events prove that he did not look to that high Power in vain.

Sir, I think it right, in approaching the termination of this great question, to present this faint and rapid sketch of the brilliant, beneficent, and glorious administration of President Jackson. It is not for me to attempt to do it justice; it is not for ordinary men to attempt its history. His military life, resplendent with dazzling events, will demand the pen of a nervous writer; his civil administration, replete with scenes which have called into action so many and such various passions of the human heart, and which has given to native sagacity so many victories over practised politicians, will require the profound, luminous, and philosophical conceptions of a Livy, a Plutarch, or a Sallust. This history is not to be written in our day. The contemporaries of such events are not the hands to describe them. Time must first do its office — must silence the passions, remove the actors, develop consequences, and canonize all that is sacred to honor, patriotism, and glory. In after ages the historic genius of our America shall produce the writers which the subject demands — men far removed from the contests of this day, who will know how to estimate this great epoch, and how to acquire an immortality for their own names by painting, with a master's hand, the immortal events of the patriot President's life.

And now, sir, I finish the task which three years ago I imposed on myself. Solitary and alone, and amid the jeers and taunts of my opponents, I put this ball in motion. The people have taken it up, and rolled it forward, and I am no longer anything but a unit in the vast mass which now propels it. In the name of that mass I speak. I demand

the execution of the edict of the people; I demand the expurgation of that sentence which the voice of a few senators, and the power of their confederate, the Bank of the United States, has caused to be placed on the Journal of the Senate; and which the voice of millions of freemen has ordered to be expunged from it.

# CASS

LEWIS CASS, an American politician of much prominence in his day, was born in Exeter, New Hampshire, October 29, 1782. He studied law and began practising his profession at Zanesville, Ohio, in 1802. Entering the army at the opening of the second war with England he was raised to the rank of brigadier-general in 1813. He settled in what was then called Michigan Territory the next year and was its governor for a period of sixteen years. In 1831 he was appointed secretary of war, was sent as minister to France in 1836, and while abroad was instrumental in preventing France from joining the "quintuple alliance" enforcing English claims to right of search on the high seas. Resigning his post in 1842, he returned home, and from 1844 to 1857 was a United States senator from Michigan and in 1848 an unsuccessful candidate for the presidency. He entered Buchanan's cabinet in 1857 as secretary of state, resigning that position in 1860, and died at Detroit, Michigan, June 17, 1866. In his political life Cass appeared to aim chiefly at popularity, which he was successful in obtaining. He inclined strongly toward the pro-slavery party until the outbreak of the Civil War in 1861, but after that event he warmly supported the Union cause. He was the author of "History, Traditions, and Languages of the Indians in the United States" (1826); "France, its King, Court, and Government" (1840).

## ON THE SPIRIT OF THE AGE

DELIVERED BEFORE THE ASSOCIATION OF THE ALUMNI OF HAMILTON COLLEGE, AUGUST 25, 1830

THIS is not an age of speculation, but of action. Knowledge is spreading from nation to nation, bringing all within the sphere of its operation. Its immediate tendency is to reduce the artificial distinctions which time and power have created, and to establish a common standard of virtue and intelligence. By this standard princes and people must be judged. We cannot be idle spectators of these efforts and their effects. We are connected with other nations by ties of intercourse not easily severed; and we are ourselves deeply interested in the operation of

those causes which can meliorate the condition of mankind, either in their social, political, or moral relations; which can add stability to our institutions, prosperity to our country, contentment to our citizens. And of all these causes the progress of knowledge is the life-preserving principle; not its advancement merely in the various branches of human investigation, whether active or speculative, but still more its general diffusion among all classes of all nations.

And it may not be unprofitable in itself, nor unsuitable to the present occasion, briefly to examine the consequences which have resulted, and are yet to result, from the application of this great moral power. We shall find that it is operating with resistless energy upon the political institutions, the social state, and the intellectual condition of mankind.

And I propose succinctly to review the effects it has already produced upon these great departments of life, and to survey the prospect which it offers for the future; and then to consider the duty and importance of promoting its operations by all the means in our power, and particularly by an enlarged and vigorous system of education. If any observations can place in bolder relief the value of education or the consequence of the establishments devoted to its acquisition, imperfectly as the task may be executed they may not be wholly uninteresting to you.

Upon this foundation the great fabric of freedom must rest; and more fortunate than those who erected a monument of folly upon the plains of Shinar, we may hope that it will be a tower of refuge for our country should the fountains of power be broken up and descend upon us.

The golden age of the poets is the iron age of govern-

ments. The relative duties of protection and submission are slowly learned, and it was not until after the lapse of ages and the progress of society that rulers and people perceived, if power in the hands of a few were the means, the benefit of all was the object.

An ancient historian, who wrote when the fortunes and intellect of Rome were the brightest, while speaking of the ascendency gained by Egyptian priests, an ascendency which held the monarch in captivity without granting freedom to the people, remarks that "it was indeed strange that the king should not be left at liberty in regard to his daily food; but it was still more extraordinary that he could not punish any man to gratify his humor or passion." Such sentiments indicate but too clearly the notions then entertained of the kingly office.

But as the great mass of mankind is instructed, and public opinion enlightened, a moral force is exerted which governments dare not resist. The schoolmaster is a more powerful antagonist than the soldier, and the alphabet a more efficient weapon than the bayonet. The nations of Christendom are members of one great family. Such is the intercourse of commerce and science that the proceedings of every government are observed, discussed, and judged throughout the civilized world. If a hostile gun is fired upon the Danube, the echo is heard upon the Mississippi. If the Egyptian, reversing the tide of ancient conquest, plant the crescent upon the Parthenon, sweeping over the land of Miltiades and Aristides with a spirit of ruthless barbarism which leaves to Greece neither the evidence of her past civilization nor the hopes of her future, neither her monuments nor her children, her sufferings are felt and deplored wherever our countrymen have subdued the forest or reclaimed the prairie.

Where is the man so elevated as not to quail before this universal gaze? Even the wayward child of fortune who was insulated in his career and fate no less than in the scenes of his birth and death fell before the public opinion of Europe which he had despised and provoked. The banners of the Continental princes would never have crossed the Rhine had not the spirit of their people been roused; and among the remarkable events of that portentous era, when Europe armed itself against France, there was nothing which marked the aspect of the times more strongly than the zeal everywhere displayed by the people. They marched in the van of their governments, and actually forced their way to war.

A higher standard of public and political morals has been established by this general censorship. And if the hereditary rulers of the eastern hemisphere are not more virtuous than their predecessors, their conduct is more guarded; nor is public sentiment any longer outraged by scenes rivaliing the profligacy of Tiberius in the island of Caprea.

In the diffusion of political information the periodical press is the great instrument of modern times. The wish of Archimedes is realized, and a place is found where the world can be moved. Only a century and a half has passed away since the introduction of newspapers, and during many years their progress was slow and doubtful. In their infancy there was little to commend them to public regard. They were mere chronicles of passing events, recording everything with equal gravity, whether trifling or important. There were no enlarged views, no interesting speculations, no elaborate discussions, political or statistical. But as they attained maturity their character gradually changed, and they became, what they now are, the repositories of all that is important in

the progress of human affairs, and of much that is valuable in science and literature.

Their duration is now beyond the reach of fraud or force. In India, in Iceland, in Australasia, at the Cape of Good Hope, in regions first known to history, and in those which history has yet to visit, these periodical messengers are sent abroad to instruct, to restrain, and to punish. Knowledge is diffused with certainty, promptness, and economy. The conduct of rulers is scrutinized, the course of their policy is investigated, a moving map of the world is spread before the community, and literature, science, and the arts are carried to the remotest verge of civilization. In republics they are the safeguards of freedom; in monarchies they are jealous sentinels, prompt to discern and fearless to announce approaching danger; and in all governments they are the nerves which convey sensation through the political body.

Benefits, when common, are rarely appreciated, and the natural elements around us are among the choicest blessings of life, which we enjoy without reflection, but which we could not lose without destruction. If the periodical press, with its rich treasures of intelligence and science, were struck from existence, we should then know how much we had possessed by feeling how much we had lost.

Had this great source of public instruction and information existed in the Old World, how different might have been its destiny and how rich the lessons of experience transmitted to us! How precious would be a newspaper printed at the epoch of some of those memorable events which have come down to us in "thoughts that breathe and words that burn." A gazette of Sparta or of Athens, when Xerxes was upon the Hellespont or Leonidas at Thermopylæ, would be a treasure far beyond the marble monuments which yet look out upon

the ruins around them. The hopes, the fears, the efforts, the sacrifices of Greece would be before us, not disguised in the impassioned strains of her poets, nor in the eloquent but partial narratives of her historians, but as they marked the approaching danger and the alterations of popular feeling. And with equal interest should we gaze upon a similar monument of the literature and fortunes of Rome when domestic discord or foreign armies shook her power but not her resolution; when her citizens retreated to the sacred mount or her great Carthaginian enemy swept her eagles from the field of Cannæ.

It is impossible to look upon those great events, familiar to us from infancy, but seen through a mirage which distorts while it magnifies, without being sensible of the absence of many of those peculiar traits which give life to the picture of modern times. The orators, statesmen, and philosophers, are actors upon a stage, dressed in theatrical costume, and performing the parts assigned them. But of their private lives, of their peculiar opinions and feelings, of the general state of society, and of the moving incidents which appealed to all and swayed all, little has been recorded and little can be known.

Of general facts we have enough, and more than enough. Armies and battles and victories are forever before us, as though we had nothing to learn but the splendor of conquest and the utter disregard in which human life was held. All that is wanting to complete our knowledge of antiquity, these publications would have furnished. We should have entered the private dwellings of those who, twenty centuries ago, were as anxious about the cares of this life as we are. Their domestic circles would have been open to us, their conjugal, and parental, and filial relations disclosed, and the whole

constitution of their society revealed. The meagre details of manners and customs now gleaned from the comic writers would be disregarded in the general view presented to us. Time would be annihilated, as the steam-engine is annihilating space; and nations as remote in age as in position would be brought together.

But these are advantages peculiar to the age in which we live. The invention of Cadmus still retains all its value, but it is almost the only debt which the diffusion of modern knowledge owes to the genius of antiquity. And when we recall the circumstances which formerly retarded the progress of letters we may well be surprised that so much was done for the great cause of literature; and that in history, in poetry, in elocution, the works which have descended to us yet excite the admiration of mankind. They are models for imitation rather than efforts to be equalled. The slow and expensive process by which alone manuscripts could be multiplied necessarily limited the circulation of works to the wealthier portion of society; and it is recorded that for three small treatises Plato paid a sum equal to sixteen hundred dollars of our money. When the field of fame was thus limited, only an ardent devotion to literature could stimulate to exertion. Greece indeed offered, in one of her institutions, a noble theatre for display; and when all that was wise, and learned, and venerable, through her confederated States, assembled at the Olympic games and listened to the poets and historians who recited their admirable productions, life could afford no reward more grateful or enduring.

In our own country we may attribute the general progress of political information to the introduction of periodical publications and to the admirable system of posts by which they are distributed to every portion of the republic. Our country

is intersected in all directions by routes along which the depositaries of intelligence are conveyed. From the Lakes to the Gulf of Mexico, and from the Penobscot to the Missouri, these avenues of knowledge are pouring out their rich treasures before the community.

The tenant of the remotest log cabin upon the very verge of civilization is within the reach of newspapers recording the passing history of the world. The able debate which at the last session of Congress fixed the eyes of the nation upon the Senate was watched with equal anxiety in every part of the land. The talents and opinions of those who mingled in the controversy were as well known upon the frontiers as at the capitol. The grave questions of constitutional law, so elaborately discussed, furnished topics of conversation and argument throughout the confederacy. This general spirit of inquiry, co-operating with the facility afforded for its indulgence, renders the whole body of our citizens spectators of the proceedings of the government. The walls of the capitol are in effect broken down, and the national representatives perform their duties upon a vast arena where their measures are all visible to those who gave, and can take from them, their political life. It is difficult to estimate too highly the effect of this surveillance upon the character and duration of the institutions of our country.

But through the great commonwealth of nations these causes are everywhere in operation. Representative bodies are gaining strength where they exist, and they are coming into existence where they have heretofore been unknown. With the knowledge of their rights comes the feeling of their strength. The uses and abuses of governments are now freely investigated, and men begin to wonder that they have so long submitted to unjust pretensions founded neither in

reason nor utility, neither in the good they promise nor in that which they perform.

Time and opinion sanctify many errors, and the "pomp and circumstance" of a throne have often preserved the authority, if not the life, of the occupant. But he who raised thrones and demolished them as easily as he fought battles and gained them said — and the lesson is now spreading through the world — that "they were wooden seats covered with velvet." Their splendid drapery cannot much longer conceal the truth.

It would be arrogant for us to judge what forms of government are best suited to the condition of the European states; and we should contradict many of the lessons which history has furnished were we to affirm that monarchies, properly administered, cannot protect the rights and promote the happiness of their people. But we may well look forward to the time when such governments, restrained by limitations they cannot pass, and acknowledging the influence of public opinion, shall exercise their powers in a spirit of justice and forbearance. And that time must come, and come speedily.

It has been said, and with some truth, that the affairs of no nation can be very badly administered where a body of men, no matter how constituted or by whom elected, have the right to assemble, and freely and publicly investigate the proceedings of the government. But how much more efficacious are the general extension of education, and the productions of the press? Instead of receiving impressions from those who are too often interested in the prevalence of erroneous ones, an enlightened community forms impressions for itself. For a time the ramparts erected in many countries against this great enemy of arbitrary power may prevent the approach of instruction and information. But these defences must

give way. They will fall, as many prouder monuments have fallen; and knowledge, freedom, and science will march over them; not as the northern nations entered the capital of the world, to enslave and destroy, but to redeem, to enlighten, and to protect. Even the great Russian Iceberg, which is already the terror of Europe, has felt the genial influence of knowledge and science, and let us hope it will dissolve beneath their power before it reaches the plains of France and Italy.

Signs of approaching change begin to be visible among the votaries of Islamism, and happy will it be for the nations professing that faith if they can be brought to perceive their moral and political degradation; to exchange the pilgrimage to Mecca for excursions into the regions of knowledge and science. We might then hope that the stern character of Mahmoud would regenerate the descendants of those mighty warriors who subdued the Empire of the East, and carried their horsetails to the capital of the West.

Nor can we be indifferent to the progress of the fortunate soldier who sits upon the throne of the Pharaohs. Centuries of darkness and servitude have rested upon the land of the Nile; the cradle of the arts and sciences, it has long been their tomb. Its history, like the source of the mighty river which gives it fertility, eludes our research, and its monuments have survived the memory of their founders and the objects of their construction. Even here the light of knowledge is penetrating; and its pyramids may yet be gilded by the setting rays of the sun of science, as in the infancy of the world they were gilded by its rising beams.

And Greece, too, is awakening from the slumber of ages. She has cast from her the incubus of Turkish despotism, and is again displaying that standard which triumphed at Marathon and Salamis. And who has not deplored her sufferings

and rejoiced at her emancipation? And what prouder triumph have knowledge and science ever gained than the imperishable fame which the deeds of her statesmen and warriors, the works of her artists, and the productions of her poets and historians and philosophers, have conferred upon the land of Homer, of Aristides, and of Epaminondas? A region of country not larger than some of our counties has rivetted the attention of the world for twenty centuries. To this day our earliest recollections are given to her history, our earliest associations to her fame and fortune. In boyhood we study the story of her rise and fall; in manhood we deduce from it lessons of practical wisdom; and in age we revert to it as an interesting chapter in the general history of the human family.

And in our own hemisphere this great moral agent is proclaiming from the summit of the Andes the value of free institutions, and is teaching the descendants of Montezuma and the Incas that where political knowledge begins political servitude ends. The pillars of Castile and Leon have been broken, and although the agitations of the storm have not yet subsided, we may still hope that the progress of knowledge will be sufficiently rapid and general to prevent its return. The human mind does not suddenly yield to new impressions. Opinions and moral habits engrafted upon society and transmitted through a long succession of ages become a part of the social constitution.

When they are injurious or dangerous, rash empiricism may prescribe violent remedies, but the prudent physician will leave much to time and nature. From the Rio del Norte to the Straits of Magellan, during three centuries of religious intolerance and civil misgovernment, political knowledge has been excluded, with jealous care, from the Spanish colonies.

And now, when like the strong man of Israel they have shaken off the fetters which bound them, and are reorganizing their institutions and laying the foundations of information and instruction, let us not reproach them that their progress is slow and doubtful.

Let us be grateful to Providence that in our own march over this debatable land we were spared many of the calamities and vicissitudes they have endured; and let us recollect that the finger of Spain was heavier than the loins of England. Freedom landed with our forefathers upon the rock of Plymouth and the beach of Jamestown; and the Bible and Magna Charta were the companions of their voyage and the evidence and foundation of their civil and religious rights. But Cortez and Pizarro and Almagro landed with the papal bull, the sword, and the crucifix: and the colonies they planted, in their moral and political condition, yet bear testimony to the principles of their founders. The report of the musketry at Lexington spread over a land where religious intolerance was unknown, where the principles of political knowledge were understood and cherished, and where the practical blessings of freedom had been exerting their influence for generations.

Our fathers resisted the approach rather than the presence of oppression. It was not what they suffered that drove them to arms, so much as the apprehension of what they might suffer if the plans of the mother country were matured and accomplished. But the cannon of Hidalgo broke the silence of despotism. It roused a people who had long slumbered in ignorance and oppression; who, knowing neither their rights nor their strength, were suddenly called to expel their rulers and to reconstruct their political edifice. Well might they seek in vain for artists to plan and for mechanics

to build. Knowledge comes with time, generally with labor, frequently with suffering. Of labor and suffering they have had enough; may time bring with it their reward. But if in all the elements of knowledge we were more fortunate than our southern brethren, we were not less fortunate in him who first led our armies in war and then guided our councils in peace. He was admirably suited to the circumstances of his age and country, and they to him. His fame is committed to time, his example to mankind, and himself, we humbly hope, to the reward of the righteous. Let no man whose career and fate have not been sealed by death claim or receive the title of Washington.

# TEGNER

ESAIAS TEGNER, Sweden's most distinguished poet, was born in Wermeland, November 13, 1782. His father, who was a farmer, died ten years later, leaving a large family with very little means. The boy was adopted by a wealthy friend of the family and was given every opportunity for an education. His literary life began early. His first work shows the influence of the great writers of the time, Goethe, Schiller, Oehlenschläger, and even Byron. This period was soon past, however. In 1825 appeared his great work, unrivalled as yet in Swedish literature, "Fridthjof's Saga," a series of lyrical poems woven into an epic cycle. It has been translated into nearly every European language, six different translations having been made into English alone. Tegnér was made bishop of Wexiö in 1824. He died November 2, 1846.

## ADDRESS BEFORE THE UNIVERSITY OF LUND, 1823

WHAT is the principal subject under discussion in Europe at the present time? What are the so-called new revolutionary doctrines, the constitutional tenets, that the people are contesting so vigorously? Among the more deliberative and better classes at least they are really no other than these: that the power of government emanates, not from the regent alone, as that is despotism, neither from the people alone, which is the foundation of anarchism, but from the union of the two; that consequently the people have a moral right, because of their part in the government, to hold the responsible ruler to account before God and man; that the law expressing the common will is the highest authority in the State before which all must be ranked as equals; that the community cannot recognize other claims and preferences than those which are based either upon personal merits or upon natural differences which may be essential to good order in the community, that the State must protect all personal property, for which the people would put itself under contribution; that the State must also protect

the individual's inherent rights so that the citizen may personally or through a representative express his convictions concerning matters of public interest.

What would be the results of all this? Would the most important episode known to us of the more recent history, would the Revolution have been fought wholly in vain? Political conceptions and views which grew out of it, would they finally be nothing better than glaring mistakes, without expediency and without benefit to humanity? And the blood, that noble blood which flowed in freedom's cause, which probably will flow again for the same high purpose, would that be spilt in vain? We will not subscribe to such inconsolable teachings. We will not acknowledge that anything in universal history is void of results, and least of all that to which so many noble minds looked with fondest expectations. We refuse particularly to acknowledge that justice and the higher ideals ever can be fruitless, even if they are not applicable instantly to every exigency. It is my heartiest conviction and strongest hope that the so-called constitutional doctrines shall triumph at last, but hardly in that way which a certain hasty though well-meaning individual desired; hardly can you expect them to transform the world as if by a sudden touch of magic power. An old fable tells us that Pelias' daughters, desiring to at once make their aged father young again, injected young blood in his veins. The results were, naturally, that the old blood ran out and the new blood would not stay. So with the State. The new and better element must enter the system gradually and drive the unwholesome particles out slowly. The people must be educated up to the new forms, as they were for centuries brought up to the old.

[Specially translated by Charles E. Hurd.]

# CALHOUN

JOHN CALDWELL CALHOUN, the grandson of an Irish Presbyterian who founded the Calhoun settlement in the district of Abbeville, South Carolina, was born in that place in 1782. After graduating at Yale College, he spent eighteen months at the Litchfield Law School, whence he returned to practice at the bar in his native district of Abbeville. While there, in June, 1807, Calhoun drew up for a public meeting a resolution expressing indignation at the searching of the frigate "Chesapeake" by a British warship, and supported the resolution in a speech of such power that he was soon afterward elected a member of the State Legislature. In November, 1811, he became a member of the Federal Congress, and there gave a vigorous support to the war party. For several years, beginning with 1817, he acted as Secretary of War under President Monroe. In 1825 he became Vice-President of the United States under John Quincy Adams, and four years later was re-elected to the same office under General Jackson. Although he had supported the protective tariff of 1816, he now stood forth as an eager advocate of free trade, and as a strenuous defender of the institution of slavery. In both capacities he came to be looked upon as the champion of the Southern States. He was the author, or rather sponsor, of a doctrine to which the Civil War may be traced, to wit: the doctrine of nullification first embodied in the Kentucky and Virginia resolutions of 1798, according to which any State has the right to reject any act of Congress which it deems unconstitutional. This view was in 1829 adopted by the Legislature of Calhoun's native State, and set forth in a document mainly prepared by him which was known as the "South Carolina Exposition," and which was approved by Virginia, Georgia and Alabama. In 1832 the South Carolina Legislature put the theory in practice by passing laws nullifying the obnoxious tariff of that year; but its opposition was crushed by the firmness of President Jackson, who declared that he would resort to force, if necessary. The most important of Calhoun's other political acts are his defence of the right of veto which is lodged by the Constitution in the President; his advocacy of the annexation of Texas, and his maintenance of the cause of peace, when war with Great Britain was threatened by the claim of the United States that the northern boundary of Oregon must not be placed further south than 54° 40′. Calhoun died at Washington on March 31, 1850.

## ON NULLIFICATION AND THE FORCE BILL

UNITED STATES SENATE, FEBRUARY 15, 1833

*Mr. President:*

AT THE last session of Congress, it was avowed on all sides that the public debt, as to all practical purposes, was in fact paid, the small surplus remaining being nearly covered by the money in the Treasury and the bonds for duties which had already accrued; but with the arrival of this event our last hope was doomed to be disappointed. After a long session of many months, and the most earnest effort on the part of South Carolina and the other Southern States to obtain relief, all that could be effected was a small reduction in the amount of the duties, but a reduction of such a character that, while it diminished the amount of burden, it distributed that burden more unequally than even the obnoxious Act of 1828; reversing the principle adopted by the Bill of 1816, of laying higher duties on the unprotected than the protected articles, by repealing almost entirely the duties laid upon the former, and imposing the burden almost entirely on the latter. It was thus that, instead of relief—instead of an equal distribution of burdens and benefits of the government, on the payment of the debt, as had been fondly anticipated—the duties were so arranged as to be, in fact, bounties on one side and taxation on the other; thus placing the two great sections of the country in direct conflict in reference to its fiscal action, and thereby letting in that flood of political corruption which threatens to sweep away our Constitution and our liberty.

This unequal and unjust arrangement was pronounced, both by the administration, through its proper organ, the Secretary of the Treasury, and by the opposition, to be a *permanent* adjustment; and it was thus that all hope of relief through the action of the general government terminated; and the crisis so long apprehended at length arrived, at which the State was compelled to choose between absolute acquiescence in a ruinous system of oppression, or a resort to her reserved powers—powers of which she alone was the rightful judge, and which only, in this momentous juncture, could save her. She determined on the latter.

The consent of two-thirds of her Legislature was necessary for the call of a convention, which was considered the only legitimate organ through which the people, in their sovereignty, could speak. After an arduous struggle the States-right party succeeded; more than two-thirds of both branches of the Legislature favorable to a convention were elected; a convention was called—the ordinance adopted. The convention was succeeded by a meeting of the Legislature, when the laws to carry the ordinance into execution were enacted—all of which have been communicated by the President, have been referred to the Committee on the Judiciary, and this bill is the result of their labor.

Having now corrected some of the prominent misrepresentations as to the nature of this controversy, and given a rapid sketch of the movement of the State in reference to it, I will next proceed to notice some objections connected with the ordinance and the proceedings under it.

The first and most prominent of these is directed against what is called the test oath, which an effort has been made to render odious. So far from deserving the denunciation that has been levelled against it, I view this provision of

the ordinance as but the natural result of the doctrines entertained by the State, and the position which she occupies. The people of Carolina believe that the Union is a union of States, and not of individuals; that it was formed by the States, and that the citizens of the several States were bound to it through the acts of their several States; that each State ratified the Constitution for itself, and that it was only by such ratification of a State that any obligation was imposed upon its citizens. Thus believing, it is the opinion of the people of Carolina that it belongs to the State which has imposed the obligation to declare, in the last resort, the extent of this obligation, as far as her citizens are concerned; and this upon the plain principles which exist in all analogous cases of compact between sovereign bodies. On this principle the people of the State, acting in their sovereign capacity in convention, precisely as they did in the adoption of their own and the Federal Constitution, have declared, by the ordinance, that the acts of Congress which imposed duties under the authority to lay imposts, were acts not for revenue, as intended by the Constitution, but for protection, and therefore null and void. The ordinance thus enacted by the people of the State themselves, acting as a sovereign community, is as obligatory on the citizens of the State as any portion of the Constitution. In prescribing, then, the oath to obey the ordinance, no more was done than to prescribe an oath to obey the Constitution. It is, in fact, but a particular oath of allegiance, and in every respect similar to that which is prescribed, under the Constitution of the United States, to be administered to all the officers of the State and Federal governments; and is no more deserving the harsh and bitter epithets which have been heaped upon it than that or any similar

oath. It ought to be borne in mind that, according to the opinion which prevails in Carolina, the right of resistance to the unconstitutional acts of Congress belongs to the State, and not to her individual citizens; and that, though the latter may, in a mere question of *meum* and *tuum*, resist through the courts an unconstitutional encroachment upon their rights, yet the final stand against usurpation rests not with them, but with the State of which they are members; and such act of resistance by a State binds the conscience and allegiance of the citizen. But there appears to be a general misapprehension as to the extent to which the State has acted under this part of the ordinance. Instead of sweeping every officer by a general proscription of the minority, as has been represented in debate, as far as my knowledge extends, not a single individual has been removed. The State has, in fact, acted with the greatest tenderness, all circumstances considered, toward citizens who differed from the majority; and, in that spirit, has directed the oath to be administered only in the case of some official act directed to be performed in which obedience to the ordinance is involved. . . .

It is next objected that the enforcing acts have legislated the United States out of South Carolina. I have already replied to this objection on another occasion, and will now but repeat what I then said: that they have been legislated out only to the extent that they had no right to enter. The Constitution has admitted the jurisdiction of the United States within the limits of the several States only so far as the delegated powers authorize; beyond that they are intruders, and may rightfully be expelled; and that they have been efficiently expelled by the legislation of the State through her civil process, as has been acknowledged on all sides in the

debate, is only a confirmation of the truth of the doctrine for which the majority in Carolina have contended.

The very point at issue between the two parties there is, whether nullification is a peaceful and an efficient remedy against an unconstitutional act of the general government, and may be asserted, as such, through the State tribunals. Both parties agree that the acts against which it is directed are unconstitutional and oppressive. The controversy is only as to the means by which our citizens may be protected against the acknowledged encroachments on their rights. This being the point at issue between the parties, and the very object of the majority being an efficient protection of the citizens through the State tribunals, the measures adopted to enforce the ordinance, of course, received the most decisive character. We were not children, to act by halves. Yet for acting thus efficiently the State is denounced, and this bill reported, to overrule, by military force, the civil tribunal and civil process of the State! Sir, I consider this bill, and the arguments which have been urged on this floor in its support, as the most triumphant acknowledgment that nullification is peaceful and efficient, and so deeply intrenched in the principles of our system, that it cannot be assailed but by prostrating the Constitution, and substituting the supremacy of military force in lieu of the supremacy of the laws. In fact, the advocates of this bill refute their own argument. They tell us that the ordinance is unconstitutional; that it infracts the Constitution of South Carolina, although, to me, the objection appears absurd, as it was adopted by the very authority which adopted the Constitution itself. They also tell us that the Supreme Court is the appointed arbiter of all controversies between a State and the general government.

Why, then, do they not leave this controversy to that tribunal? Why do they not confide to them the abrogation of the ordinance, and the laws made in pursuance of it, and the assertion of that supremacy which they claim for the laws of Congress? The State stands pledged to resist no process of the court. Why, then, confer on the President the extensive and unlimited powers provided in this bill? Why authorize him to use military force to arrest the civil process of the State? But one answer can be given: That, in a contest between the State and the general government, if the resistance be limited on both sides to the civil process, the State, by its inherent sovereignty, standing upon its reserved powers, will prove too powerful in such a controversy, and must triumph over the Federal government, sustained by its delegated and limited authority; and in this answer we have an acknowledgment of the truth of those great principles for which the State has so firmly and nobly contended. . . .

Notwithstanding all that has been said, I may say that neither the Senator from Delaware (Mr. Clayton), nor any other who has spoken on the same side, has directly and fairly met the great question at issue: Is this a Federal Union? a union of States, as distinct from that of individuals? Is the sovereignty in the several States, or in the American people in the aggregate? The very language which we are compelled to use when speaking of our political institutions affords proof conclusive as to its real character. The terms union, federal, united, all imply a combination of sovereignties, a confederation of States. They never apply to an association of individuals. Who ever heard of the United State of New York, of Massa

chusetts, or of Virginia? Who ever heard the term federal or union applied to the aggregation of individuals into one community? Nor is the other point less clear—that the sovereignty is in the several States, and that our system is a union of twenty-four sovereign powers, under a constitutional compact, and not of a divided sovereignty between the States severally and the United States? In spite of all that has been said, I maintain that sovereignty is in its nature indivisible. It is the supreme power in a State, and we might just as well speak of half a square, or half of a triangle, as of half a sovereignty. It is a gross error to confound the *exercise* of sovereign powers with *sovereignty* itself, or the *delegation* of such powers with the *surrender* of them. A sovereign may delegate his powers to be exercised by as many agents as he may think proper, under such conditions and with such limitations as he may impose; but to surrender any portion of his sovereignty to another is to annihilate the whole. The Senator from Delaware (Mr. Clayton) calls this metaphysical reasoning, which he says he cannot comprehend. If by metaphysics he means that scholastic refinement which makes distinctions without difference, no one can hold it in more utter contempt than I do; but if, on the contrary, he means the power of analysis and combination—that power which reduces the most complex idea into its elements, which traces causes to their first principle, and, by the power of generalization and combination, unites the whole in one harmonious system—then, so far from deserving contempt, it is the highest attribute of the human mind. It is the power which raises man above the brute—which distinguishes his faculties from mere sagacity, which he holds in common with inferior animals. It is this power which has raised the astronomer from being a

mere gazer at the stars to the high intellectual eminence of a Newton or a Laplace, and astronomy itself from a mere observation of isolated facts into that noble science which displays to our admiration the system of the universe. And shall this high power of the mind, which has effected such wonders when directed to the laws which control the material world, be forever prohibited, under a senseless cry of metaphysics, from being applied to the high purposes of political science and legislation? I hold them to be subject to laws as fixed as matter itself, and to be as fit a subject for the application of the highest intellectual power. Denunciation may, indeed, fall upon the philosophical inquirer into these first principles, as it did upon Galileo and Bacon, when they first unfolded the great discoveries which have immortalized their names; but the time will come when truth will prevail in spite of prejudice and denunciation, and when politics and legislation will be considered as much a science as astronomy and chemistry.

In connection with this part of the subject, I understood the Senator from Virginia (Mr. Rives) to say that sovereignty was divided, and that a portion remained with the States severally, and that the residue was vested in the Union. By Union, I suppose, the Senator meant the United States. If such be his meaning—if he intended to affirm that the sovereignty was in the twenty-four States, in whatever light he may view them, our opinions will not disagree; but according to my conception, the whole sovereignty is in the several States, while the exercise of sovereign power is divided—a part being exercised under compact, through this general government, and the residue through the separate State governments. But if the Senator from Virginia (Mr. Rives) means to assert that the twenty-four States form but

one community, with a single sovereign power as to the objects of the Union, it will be but the revival of the old question, of whether the Union is a union between States, as distinct communities, or a mere aggregate of the American people, as a mass of individuals; and in this light his opinions would lead directly to consolidation. . . .

Disguise it as you may, the controversy is one between power and liberty; and I tell the gentlemen who are opposed to me, that, as strong as may be the love of power on their side, the love of liberty is still stronger on ours. History furnishes many instances of similar struggles, where the love of liberty has prevailed against power under every disadvantage, and among them few more striking than that of our own Revolution; where, as strong as was the parent country, and feeble as were the Colonies, yet, under the impulse of liberty, and the blessing of God, they gloriously triumphed in the contest. There are, indeed, many striking analogies between that and the present controversy. They both originated substantially in the same cause—with this difference—in the present case, the power of taxation is converted into that of regulating industry; in the other the power of regulating industry, by the regulation of commerce, was attempted to be converted into the power of taxation. Were I to trace the analogy further, we should find that the perversion of the taxing power, in the one case, has given precisely the same control to the northern section over the industry of the southern section of the Union, which the power to regulate commerce gave to Great Britain over the industry of the Colonies in the other; and that the very articles in which the Colonies were permitted to have a free trade, and those in which the mother-country had a monopoly, are almost identically the same as those in

which the Southern States are permitted to have a free trade by the Act of 1832, and in which the Northern States have, by the same act, secured a monopoly. The only difference is in the means. In the former, the Colonies were permitted to have a free trade with all countries south of Cape Finisterre, a cape in the northern part of Spain; while north of that, the trade of the Colonies was prohibited, except through the mother-country, by means of her commercial regulations. If we compare the products of the country north and south of Cape Finisterre, we shall find them almost identical with the list of the protected and unprotected articles contained in the list of last year. Nor does the analogy terminate here. The very arguments resorted to at the commencement of the American Revolution, and the measures adopted, and the motives assigned to bring on that contest (to enforce the law), are almost identically the same.

But to return from this digression to the consideration of the bill. Whatever difference of opinion may exist upon other points, there is one on which I should suppose there can be none; that this bill rests upon principles which, if carried out, will ride over State sovereignties, and that it will be idle for any advocates hereafter to talk of State rights. The Senator from Virginia (Mr. Rives) says that he is the advocate of State rights; but he must permit me to tell him that, although he may differ in premises from the other gentlemen with whom he acts on this occasion, yet, in supporting this bill, he obliterates every vestige of distinction between him and them, saving only that, professing the principles of '98, his example will be more pernicious than that of the most open and bitter opponent of the rights of the States. I will also add, what I am compelled to say, that I must consider him (Mr. Rives) as less consistent than

our old opponents, whose conclusions were fairly drawn from their premises, while his premises ought to have led him to opposite conclusions. The gentleman has told us that the new-fangled doctrines, as he chooses to call them, have brought State rights into disrepute. I must tell him, in reply, that what he calls new-fangled are but the doctrines of '98; and that it is he (Mr. Rives), and others with him, who, professing these doctrines, have degraded them by explaining away their meaning and efficacy. He (Mr. R.) has disclaimed, in behalf of Virginia, the authorship of nullification. I will not dispute that point. If Virginia chooses to throw away one of her brightest ornaments, she must not hereafter complain that it has become the property of another. But while I have, as a representative of Carolina, no right to complain of the disavowal of the Senator from Virginia, I must believe that he (Mr. R.) has done his native State great injustice by declaring on this floor, that when she gravely resolved, in '98, that "in cases of deliberate and dangerous infractions of the Constitution, the States, as parties to the compact, have the right, and are in duty bound, to interpose to arrest the progress of the evil, and to maintain within their respective limits the authorities, rights, and liberties appertaining to them," she meant no more than to proclaim the right to protest and to remonstrate. To suppose that, in putting forth so solemn a declaration, which she afterward sustained by so able and elaborate an argument, she meant no more than to assert what no one had ever denied, would be to suppose that the State had been guilty of the most egregious trifling that ever was exhibited on so solemn an occasion.

## SPEECH ON THE SLAVERY QUESTION

DELIVERED IN THE UNITED STATES SENATE, MARCH 4, 1850

I HAVE, Senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of both the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been permitted to proceed with almost no attempt to resist it, until it has reached a point when it can no longer be disguised or denied that the Union is in danger. You have thus had forced upon you the greatest and the gravest question that can ever come under your consideration — How can the Union be preserved?

To give a satisfactory answer to this mighty question, it is indispensable to have an accurate and thorough knowledge of the nature and the character of the cause by which the Union is endangered. Without such knowledge it is impossible to pronounce with any certainty by what measure it can be saved; just as it would be impossible for a physician to pronounce in the case of some dangerous disease, with any certainty, by what remedy the patient could be saved, without similar knowledge of the nature and character of the cause which produced it. The first question, then, presented for consideration in the investigation I propose to make in order to obtain such knowledge is — What is it that has endangered the Union?

To this question there can be but one answer,—that the immediate cause is the almost universal discontent which pervades all the States composing the southern section of the Union. This widely extended discontent is not of recent origin. It commenced with the agitation of the slavery question and has been increasing ever since. The next question, going one step further back, is — What has caused this widely diffused and almost universal discontent?

It is a great mistake to suppose, as is by some, that it originated with demagogues who excited the discontent with the intention of aiding their personal advancement, or with the disappointed ambition of certain politicians who resorted to it as the means of retrieving their fortunes. On the contrary, all the great political influences of the section were arrayed against excitement, and exerted to the utmost to keep the people quiet. The great mass of the people of the South were divided, as in the other section, into Whigs and Democracts. The leaders and the presses of both parties in the South were very solicitous to prevent excitement and to preserve quiet; because it was seen that the effects of the former would necessarily tend to weaken, if not destroy, the political ties which united them with their respective parties in the other section.

Those who know the strength of party ties will readily appreciate the immense force which this cause exerted against agitation and in favor of preserving quiet. But, great as it was, it was not sufficient to prevent the widespread discontent which now pervades the section.

No; some cause far deeper and more powerful than the one supposed must exist, to account for discontent so wide and deep. The question then recurs — What is the cause of this discontent? It will be found in the belief of the people

of the southern States, as prevalent as the discontent itself, that they cannot remain, as things now are, consistently with honor and safety, in the Union. The next question to be considered is — What has caused this belief?

One of the causes is, undoubtedly, to be traced to the long-continued agitation of the slave question on the part of the North, and the many aggressions which they have made on the rights of the South during the time. I will not enumerate them at present, as it will be done hereafter in its proper place.

There is another lying back of it — with which this is intimately connected — that may be regarded as the great and primary cause. This is to be found in the fact that the equilibrium between the two sections in the government as it stood when the constitution was ratified and the government put in action has been destroyed. At that time there was nearly a perfect equilibrium between the two, which afforded ample means to each to protect itself against the aggression of the other; but, as it now stands, one section has the exclusive power of controlling the government, which leaves the other without any adequate means of protecting itself against its encroachment and oppression. To place this subject distinctly before you, I have, Senators, prepared a brief statistical statement showing the relative weight of the two sections in the government under the first census of 1790 and the last census of 1840.

According to the former, the population of the United States—including Vermont, Kentucky, and Tennessee, which then were in their incipient condition of becoming States, but were not actually admitted — amounted to 3,929,827. Of this number the northern States had 1,997,899, and the southern 1,952,072, making a difference of only 45,827 in

favor of the former States. The number of States, including Vermont, Kentucky, and Tennessee, was sixteen; of which eight, including Vermont, belonging to the northern section, and eight, including Kentucky and Tennessee, to the southern,—making an equal division of the States between the two sections under the first census. There was a small preponderance in the House of Representatives and in the Electoral College in favor of the northern, owing to the fact that, according to the provisions of the constitution, in estimating federal numbers five slaves count but three; but it was too small to affect sensibly the perfect equilibrium which, with that exception, existed at the time. Such was the equality of the two sections when the States composing them agreed to enter into a federal union. Since then the equilibrium between them has been greatly disturbed.

According to the last census the aggregate population of the United States amounted to 17,063,357, of which the northern section contained 9,728,920, and the southern 7,334,437, making a difference in round numbers of 2,400,000. The number of States had increased from sixteen to twenty-six, making an addition of ten States. In the meantime the position of Delaware had become doubtful as to the section to which she properly belonged. Considering her as neutral, the northern States will have thirteen and the southern States twelve, making a difference in the Senate of two senators in favor of the former. According to the apportionment under the census of 1840, there were two hundred and twenty-three members of the House of Representatives, of which the northern States had one hundred and thirty-five, and the southern States (considering Delaware as neutral) eighty-seven, making a difference in favor of the former in the House of Representatives of forty-eight. The difference

in the Senate of two members, added to this, gives to the North in the Electoral College a majority of fifty. Since the census of 1840, four States have been added to the Union, —Iowa, Wisconsin, Florida, and Texas. They leave the difference in the Senate as it was when the census was taken; but add two to the side of the North in the House, making the present majority in the House in its favor fifty, and in the Electoral College fifty-two.

The result of the whole is to give the northern section a predominance in every department of the government, and thereby concentrate in it the two elements which constitute the federal government: a majority of States, and a majority of their population, estimated in federal numbers. Whatever section concentrates the two in itself possesses the control of the entire government.

But we are just at the close of the sixth decade and the commencement of the seventh. The census is to be taken this year, which must add greatly to the decided preponderance of the North in the House of Representatives and in the Electoral College. The prospect is, also, that a great increase will be added to its present preponderance in the Senate, during the period of the decade, by the addition of new States. Two territories, Oregon and Minnesota, are already in progress, and strenuous efforts are making to bring in three additional States from the territory recently conquered from Mexico; which, if successful, will add three other States in a short time to the northern section, making five States, and increasing the present number of its States from fifteen to twenty, and of its senators from thirty to forty.

On the contrary, there is not a single territory in progress in the southern section, and no certainty that any additional State will be added to it during the decade. The prospect

then is, that the two sections in the Senate, should the efforts now made to exclude the South from the newly acquired territories succeed, will stand, before the end of the decade, twenty northern States to fourteen southern (considering Delaware as neutral), and forty northern senators to twenty-eight southern. This great increase of senators, added to the great increase of members of the House of Representatives and the Electoral College on the part of the North, which must take place under the next decade, will effectually and irretrievably destroy the equilibrium which existed when the government commenced.

Had this destruction been the operation of time without the interference of government, the South would have had no reason to complain; but such was not the fact. It was caused by the legislation of this government, which was appointed as the common agent of all and charged with the protection of the interests and security of all.

The legislation by which it has been effected may be classed under three heads.

The first is that series of acts by which the South has been excluded from the common territory belonging to all the States as members of the federal Union—which have had the effect of extending vastly the portion allotted to the northern section, and restricting within narrow limits the portion left the South.

The next consists in adopting a system of revenue and disbursements by which an undue proportion of the burden of taxation has been imposed upon the South, and an undue proportion of its proceeds appropriated to the North; and the last is a system of political measures by which the original character of the government has been radically changed. I propose to bestow upon each of these, in the order they

stand, a few remarks, with the view of showing that it is owing to the action of this government that the equilibrium between the two sections has been destroyed, and the whole powers of the system centred in a sectional majority.

The first of the series of acts by which the South was deprived of its due share of the Territories originated with the confederacy which preceded the existence of this government. It is to be found in the provision of the Ordinance of 1787. Its effect was to exclude the South entirely from that vast and fertile region which lies between the Ohio and the Mississippi rivers, now embracing five States and one Territory. The next of the series is the Missouri Compromise, which excluded the South from that large portion of Louisiana which lies north of 36° 30′, excepting what is included in the State of Missouri. The last of the series excluded the South from the whole of the Oregon Territory. All these, in the slang of the day, were what are called slave Territories, and not free soil; that is, Territories belonging to slaveholding powers and open to the immigration of masters with their slaves.

By these several acts the South was excluded from 1,238,025 square miles — an extent of country considerably exceeding the entire valley of the Mississippi. To the South was left the portion of the Territory of Louisiana lying south of 36° 30′, and the portion north of it included in the State of Missouri, with the portion lying south of 36° 30′, including the States of Louisiana and Arkansas, and the territory lying west of the latter and south of 36° 30′, called the Indian country. These, with the Territory of Florida, now the State, make, in the whole, 283,503 square miles. To this must be added the territory acquired with Texas. If the whole should be added to the southern section it would make

an increase of 325,520, which would make the whole left to the South 609,023. But a large part of Texas is still in contest between the two sections, which leaves it uncertain what will be the real extent of the portion of territory that may be left to the South.

I have not included the territory recently acquired by the treaty with Mexico. The North is making the most strenuous efforts to appropriate the whole to herself, by excluding the South from every foot of it. If she should succeed, it will add to that from which the South has already been excluded 526,078 square miles, and would increase the whole which the North has appropriated to herself to 1,764,023, not including the portion that she may succeed in excluding us from in Texas. To sum up the whole, the United States, since they declared their independence, have acquired 2,373,046 square miles of territory, from which the North will have excluded the South, if she should succeed in monopolizing the newly acquired territories, about three fourths of the whole, leaving to the South but about one fourth.

Such is the first and great cause that has destroyed the equilibrium between the two sections in the government.

The next is the system of revenue and disbursements which has been adopted by the government. It is well known that the government has derived its revenue mainly from duties on imports. I shall not undertake to show that such duties must necessarily fall mainly on the exporting States, and that the South, as the great exporting portion of the Union, has in reality paid vastly more than her due proportion of the revenue; because I deem it unnecessary, as the subject has on so many occasions been fully discussed. Nor shall I, for the same reason, undertake to show that a far greater portion of the revenue has been disbursed at the North, than

its due share; and that the joint effect of these causes has been to transfer a vast amount from South to North, which, under an equal system of revenue and disbursements, would not have been lost to her. If to this be added that many of the duties were imposed, not for revenue, but for protection, — that is, intended to put money, not in the treasury, but directly into the pocket of the manufacturers,— some conception may be formed of the immense amount which in the long course of sixty years has been transferred from South to North. There are no data by which it can be estimated with any certainty; but it is safe to say that it amounts to hundreds of millions of dollars. Under the most moderate estimate it would be sufficient to add greatly to the wealth of the North, and thus greatly increase her population by attracting immigration from all quarters to that section.

This, combined with the great primary cause, amply explains why the North has acquired a preponderance in every department of the government by its disproportionate increase of population and States. The former, as has been shown, has increased, in fifty years, 2,400,000 over that of the South. This increase of population during so long a period is satisfactorily accounted for by the number of immigrants, and the increase of their descendants, which have been attracted to the northern section from Europe and the South, in consequence of the advantages derived from the causes assigned. If they had not existed — if the South had retained all the capital which has been extracted from her by the fiscal action of the government; and if it had not been excluded by the Ordinance of 1787 and the Missouri Compromise, from the region lying between the Ohio and the Mississippi rivers, and between the Mississippi and the Rocky Mountains north of 36° 30′ — it scarcely admits of

a doubt that it would have divided the immigration with the North, and by retaining her own people would have at least equalled the North in population under the census of 1840, and probably under that about to be taken. She would also, if she had retained her equal rights in those territories, have maintained an equality in the number of States with the North, and have preserved the equilibrium between the two sections that existed at the commencement of the government. The loss, then, of the equilibrium is to be attributed to the action of this government.

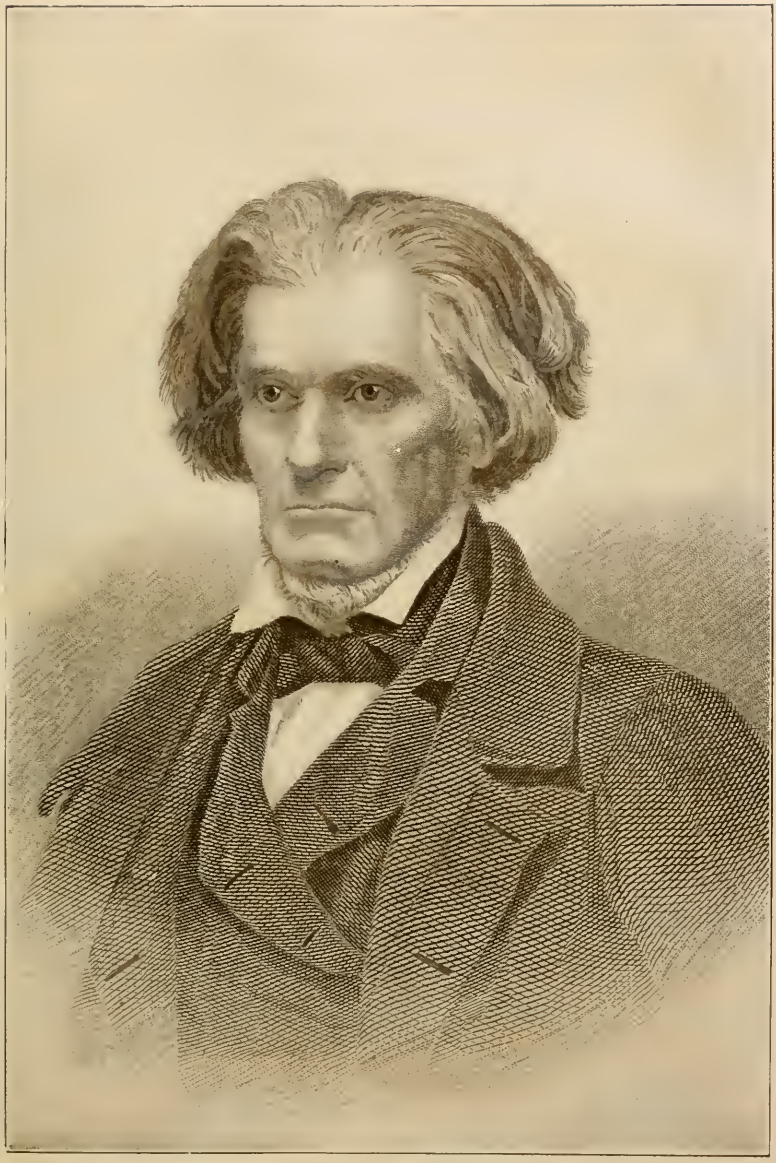
But while these measures were destroying the equilibrium between the two sections, the action of the government was leading to a radical change in its character, by concentrating all the power of the system in itself. The occasion will not permit me to trace the measures by which this great change has been consummated. If it did, it would not be difficult to show that the process commenced at an early period of the government; and that it proceeded almost without interruption, step by step, until it absorbed virtually its entire powers; but without going through the whole process to establish the fact it may be done satisfactorily by a very short statement.

That the government claims, and practically maintains, the right to decide in the last resort as to the extent of its powers, will scarcely be denied by any one conversant with the political history of the country. That it also claims the right to resort to force to maintain whatever power it claims, against all opposition, is equally certain. Indeed it is apparent, from what we daily hear, that this has become the prevailing and fixed opinion of a great majority of the community. Now, I ask, what limitation can possibly be placed upon the powers of a government claiming and exercising

such rights? And, if none can be, how can the separate governments of the States maintain and protect the powers reserved to them by the constitution — or the people of the several States maintain those which are reserved to them, and among others, the sovereign powers by which they ordained and established, not only their separate State constitutions and governments, but also the constitution and government of the United States? But, if they have no constitutional means of maintaining them against the right claimed by this government, it necessarily follows that they hold them at its pleasure and discretion, and that all the powers of the system are in reality concentrated in it. It also follows that the character of the government has been changed in consequence, from a federal republic, as it originally came from the hands of its framers, into a great national consolidated democracy. It has indeed, at present, all the characteristics of the latter, and not one of the former, although it still retains its outward form.

The result of the whole of those causes combined is that the North has acquired a decided ascendancy over every department of this government, and through it a control over all the powers of the system. A single section governed by the will of the numerical majority has now, in fact, the control of the government and the entire powers of the system. What was once a constitutional federal republic is now converted, in reality, into one as absolute as that of the autocrat of Russia, and as despotic in its tendency as any absolute government that ever existed.

As, then, the North has the absolute control over the government, it is manifest that on all questions between it and the South, where there is a diversity of interests, the interest of the latter will be sacrificed to the former, however



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oppressive the effects may be; as the South possesses no means by which it can resist, through the action of the government. But if there was no question of vital importance to the South, in reference to which there was a diversity of views between the two sections, this state of things might be endured without the hazard of destruction to the South. But such is not the fact. There is a question of vital importance to the southern section, in reference to which the views and feelings of the two sections are as opposite and hostile as they can possibly be.

I refer to the relation between the two races in the southern section, which constitutes a vital portion of her social organization. Every portion of the North entertains views and feelings more or less hostile to it. Those most opposed and hostile regard it as a sin, and consider themselves under the most sacred obligation to use every effort to destroy it.

Indeed, to the extent that they conceive that they have power, they regard themselves as implicated in the sin, and responsible for not suppressing it by the use of all and every means. Those less opposed and hostile regard it as a crime — an offence against humanity, as they call it; and, although not so fanatical, feel themselves bound to use all efforts to effect the same object; while those who are least opposed and hostile regard it as a blot and a stain on the character of what they call the " nation," and feel themselves accordingly bound to give it no countenance or support. On the contrary, the southern section regards the relation as one which cannot be destroyed without subjecting the two races to the greatest calamity, and the section to poverty, desolation, and wretchedness; and accordingly they feel bound by every consideration of interest and safety to defend it.

This hostile feeling on the part of the North towards the

social organization of the South long lay dormant, but it only required some cause to act on those who felt most intensely that they were responsible for its continuance, to call it into action. The increasing power of this government, and of the control of the Northern section over all its departments, furnished the cause. It was this which made an impression on the minds of many that there was little or no restraint to prevent the government from doing whatever it might choose to do. This was sufficient of itself to put the most fanatical portion of the North in action, for the purpose of destroying the existing relation between the two races in the South.

The first organized movement towards it commenced in 1835. Then, for the first time, societies were organized, presses established, lecturers sent forth to excite the people of the North, and incendiary publications scattered over the whole South, through the mail. The South was thoroughly aroused. Meetings were held everywhere, and resolutions adopted, calling upon the North to apply a remedy to arrest the threatened evil, and pledging themselves to adopt measures for their own protection if it was not arrested. At the meeting of Congress, petitions poured in from the North, calling upon Congress to abolish slavery in the District of Columbia, and to prohibit what they called the internal slave-trade between the States — announcing at the same time that their ultimate object was to abolish slavery, not only in the District, but in the States and throughout the Union. At this period the number engaged in the agitation was small, and possessed little or no personal influence.

Neither party in Congress had at that time any sympathy with them or their cause. The members of each party presented their petitions with great reluctance. Nevertheless, small and contemptible as the party then was, both of the

great parties of the North dreaded them. They felt that, though small, they were organized in reference to a subject which had a great and a commanding influence over the Northern mind. Each party, on that account, feared to oppose their petitions, lest the opposite party should take advantage of the one that might do so, by favoring them. The effect was that both united in insisting that the petitions should be received, and that Congress should take jurisdiction over the subject.

To justify their course, they took the extraordinary ground that Congress was bound to receive petitions on every subject, however objectionable they might be, and whether they had, or had not, jurisdiction over the subject. These views prevailed in the House of Representatives and partially in the Senate; and thus the party succeeded in their first movements, in gaining what they proposed — a position in Congress from which agitation could be extended over the whole Union. This was the commencement of the agitation which has ever since continued, and which, as is now acknowledged, has endangered the Union itself.

As for myself, I believed at that early period, if the party that got up the petitions should succeed in getting Congress to take jurisdiction, that agitation would follow, and that it would in the end, if not arrested, destroy the Union. I then so expressed myself in debate, and called upon both parties to take grounds against assuming jurisdiction; but in vain. Had my voice been heeded, and had Congress refused to take jurisdiction, by the united votes of all parties, the agitation which followed would have been prevented, and the fanatical zeal that gives impulse to the agitation, and which has brought us to our present perilous condition, would have become extinguished from the want of fuel to feed the flame.

That was the time for the North to have shown her devotion to the Union; but, unfortunately, both of the great parties of that section were so intent on obtaining or retaining party ascendancy that all other considerations were overlooked or forgotten.

What has since followed are but natural consequences. With the success of their first movement this small fanatical party began to acquire strength, and with that to become an object of courtship to both the great parties. The necessary consequence was a further increase of power, and a gradual tainting of the opinions of both of the other parties with their doctrines until the infection has extended over both; and the great mass of the population of the North, who, whatever may be their opinion of the original abolition party, which still preserves its distinctive organization, hardly ever fail, when it comes to acting, to co-operate in carrying out their measures.

With the increase of their influence they extended the sphere of their action. In a short time after the commencement of their first movement they had acquired sufficient influence to induce the legislatures of most of the northern States to pass acts which in effect abrogated the clause of the constitution that provides for the delivery up of fugitive slaves. Not long after, petitions followed to abolish slavery in forts, magazines, and dockyards, and all other places where Congress had exclusive power of legislation. This was followed by petitions and resolutions of legislatures of the northern States, and popular meetings, to exclude the southern States from all territories acquired, or to be acquired, and to prevent the admission of any State hereafter into the Union, which, by its constitution, does not prohibit slavery. And Congress is invoked to do all this expressly with the

view to the final abolition of slavery in the States. That has been avowed to be the ultimate object from the beginning of the agitation until the present time; and yet the great body of both parties of the North, with the full knowledge of the fact, although disavowing the abolitionists, have co-operated with them in almost all their measures.

Such is a brief history of the agitation as far as it has yet advanced. Now I ask, Senators, what is there to prevent its further progress until it fulfills the ultimate end proposed, unless some decisive measure should be adopted to prevent it?

Has any one of the causes, which has added to its increase from its original small and contemptible beginning until it has attained its present magnitude, diminished in force?

Is the original cause of the movement — that slavery is a sin, and ought to be suppressed — weaker now than at the commencement? Or is the abolition party less numerous or influential, or have they less influence with, or control over, the two great parties of the North in elections? Or has the South greater means of influencing or controlling the movements of this government now than it had when the agitation commenced.

To all these questions but one answer can be given: No — no — no. The very reverse is true. Instead of being weaker, all the elements in favor of agitation are stronger now than they were in 1835, when it first commenced, while all the elements of influence on the part of the South are weaker.

Unless something decisive is done, I again ask, what is to stop this agitation before the great and final object at which it aims — the abolition of slavery in the States — is consummated? Is it, then, not certain that if something is not done to arrest it, the South will be forced to choose between aboli-

tion and secession? Indeed, as events are now moving, it will not require the South to secede in order to dissolve the Union. Agitation will of itself effect it, of which its past history furnishes abundant proof — as I shall next proceed to show.

It is a great mistake to suppose that disunion can be effected by a single blow. The cords which bind these States together in one common Union are far too numerous and powerful for that. Disunion must be the work of time. It is only through a long process, and successively, that the cords can be snapped until the whole fabric falls asunder. Already the agitation of the slavery question has snapped some of the most important, and has greatly weakened all the others, as I shall proceed to show.

The cords that bind the States together are not only many, but various in character. Some are spiritual or ecclesiastical; some political; others social. Some appertain to the benefit conferred by the Union, and others to the feeling of duty and obligation.

The strongest of those of a spiritual and ecclesiastical nature consisted in the unity of the great religious denominations, all of which originally embraced the whole Union. All these denominations, with the exception, perhaps, of the Catholics, were organized very much upon the principle of our political institutions. Beginning with smaller meetings corresponding with the political divisions of the country, their organization terminated in one great central assemblage corresponding very much with the character of Congress.

At these meetings the principal clergymen and lay members of the respective denominations from all parts of the Union met to transact business relating to their common concerns. It was not confined to what appertained to the doc-

trines and discipline of the respective denominations, but extended to plans for disseminating the Bible, establishing missions, distributing tracts — and of establishing presses for the publication of tracts, newspapers, and periodicals, with a view of diffusing religious information — and for the support of their respective doctrines and creeds. All this combined contributed greatly to strengthen the bonds of the Union. The ties which held each denomination together formed a strong cord to hold the whole Union together, but, powerful as they were, they have not been able to resist the explosive effect of slavery agitation.

The first of these cords which snapped under its explosive force was that of the powerful Methodist Episcopal Church. The numerous and strong ties which held it together are all broken, and its unity is gone. They now form separate churches; and, instead of that feeling of attachment and devotion to the interests of the whole church which was formerly felt, they are now arrayed into two hostile bodies, engaged in litigation about what was formerly their common property.

The next cord that snapped was that of the Baptists — one of the largest and most respectable of the denominations. That of the Presbyterian is not entirely snapped, but some of its strands have given way. That of the Episcopal Church is the only one of the four great Protestant denominations which remains unbroken and entire.

The strongest cord of a political character consists of the many and powerful ties that have held together the two great parties which have, with some modifications, existed from the beginning of the government. They both extended to every portion of the Union, and strongly contributed to hold all its parts together. But this powerful cord has fared no

better than the spiritual. It resisted for a long time the explosive tendency of the agitation, but has finally snapped under its force — if not entirely, in a great measure. Nor is there one of the remaining cords which has not been greatly weakened. To this extent the Union has already been destroyed by agitation, in the only way it can be, by sundering and weakening the cords which bind it together.

If the agitation goes on, the same force, acting with increased intensity, as has been shown, will finally snap every cord, when nothing will be left to hold the States together except force. But surely that can with no propriety of language be called a Union when the only means by which the weaker is held connected with the stronger portion is force. It may, indeed, keep them connected; but the connection will partake much more of the character of subjugation on the part of the weaker to the stronger than the union of free, independent, and sovereign States in one confederation, as they stood in the early stages of the government, and which only is worthy of the sacred name of Union.

Having now, Senators, explained what it is that endangers the Union, and traced it to its cause, and explained its nature and character, the question again recurs — How can the Union be saved? To this I answer, there is but one way by which it can be, and that is by adopting such measures as will satisfy the States belonging to the Southern section that they can remain in the Union consistently with their honor and their safety. There is, again, only one way by which this can be effected, and that is by removing the causes by which this belief has been produced. Do this, and discontent will cease, harmony and kind feelings between the sections be restored, and every apprehension of danger to the Union removed. The question, then, is — How can this be done?

But, before I undertake to answer this question, I propose to show by what the Union cannot be saved.

It cannot, then, be saved by eulogies on the Union, however splendid or numerous. The cry of "Union, Union, the glorious Union!" can no more prevent disunion than the cry of "Health, health, glorious health!" on the part of the physician, can save a patient lying dangerously ill. So long as the Union, instead of being regarded as a protector, is regarded in the opposite character by not much less than a majority of the States, it will be in vain to attempt to conciliate them by pronouncing eulogies on it.

Besides, this cry of Union comes commonly from those whom we cannot believe to be sincere. It usually comes from our assailants. But we cannot believe them to be sincere; for, if they loved the Union, they would necessarily be devoted to the constitution. It made the Union,—and to destroy the constitution would be to destroy the Union. But the only reliable and certain evidence of devotion to the constitution is to abstain, on the one hand, from violating it, and to repel, on the other, all attempts to violate it. It is only by faithfully performing these high duties that the constitution can be preserved, and with it the Union.

But how stands the profession of devotion to the Union by our assailants, when brought to this test? Have they abstained from violating the constitution? Let the many acts passed by the northern States to set aside and annul the clause of the constitution providing for the delivery up of fugitive slaves answer. I cite this, not that it is the only instance (for there are many others), but because the violation in this particular is too notorious and palpable to be denied?

Again: Have they stood forth faithfully to repel viola-

tions of the constitution? Let their course in reference to the agitation of the slavery question, which was commenced and has been carried on for fifteen years, avowedly for the purpose of abolishing slavery in the States — an object all acknowledged to be unconstitutional — answer. Let them show a single instance, during this long period, in which they have denounced the agitators or their attempts to effect what is admitted to be unconstitutional, or a single measure which they have brought forward for that purpose. How can we, with all these facts before us, believe that they are sincere in their profession of devotion to the Union, or avoid believing their profession is but intended to increase the vigor of their assaults and to weaken the force of our resistance?

Nor can we regard the profession of devotion to the Union, on the part of those who are not our assailants, as sincere, when they pronounce eulogies upon the Union, evidently with the intent of charging us with disunion, without uttering one word of denunciation against our assailants. If friends of the Union, their course should be to unite with us in repelling these assaults and denouncing the authors as enemies of the Union. Why they avoid this and pursue the course they do, it is for them to explain.

Nor can the Union be saved by invoking the name of the illustrious Southerner whose mortal remains repose on the western bank of the Potomac. He was one of us — a slaveholder and a planter. We have studied his history and find nothing in it to justify submission to wrong. On the contrary, his great fame rests on the solid foundation that, while he was careful to avoid doing wrong to others, he was prompt and decided in repelling wrong. I trust that in this respect we profited by his example.

Nor can we find anything in his history to deter us from seceding from the Union should it fail to fulfil the objects for which it was instituted, by being permanently and hopelessly converted into the means of oppressing instead of protecting us. On the contrary, we find much in his example to encourage us should we be forced to the extremity of deciding between submission and disunion

There existed then, as well as now, a union — that between the parent country and her then colonies. It was a union that had much to endear it to the people of the colonies. Under its protecting and superintending care the colonies were planted and grew up and prospered through a long course of years, until they became populous and wealthy. Its benefits were not limited to them. Their extensive agricultural and other productions gave birth to a flourishing commerce which richly rewarded the parent country for the trouble and expense of establishing and protecting them. Washington was born and grew up to manhood under that union. He acquired his early distinction in its service, and there is every reason to believe that he was devotedly attached to it. But his devotion was a rational one. He was attached to it, not as an end, but as a means to an end. When it failed to fulfil its end, and, instead of affording protection, was converted into the means of oppressing the colonies, he did not hesitate to draw his sword and head the great movement by which that union was forever severed and the independence of these States established. This was the great and crowning glory of his life, which has spread his fame over the whole globe and will transmit it to the latest posterity.

Nor can the plan proposed by the distinguished senator from Kentucky, nor that of the administration, save the Union. I shall pass by, without remark, the plan proposed

by the senator, and proceed directly to the consideration of that of the administration. I, however, assure the distinguished and able senator that in taking this course no disrespect whatever is intended to him or his plan. I have adopted it because so many senators of distinguished abilities, who were present when he delivered his speech and explained his plan, and who were fully capable to do justice to the side they support, have replied to him.

The plan of the administration cannot save the Union, because it can have no effect whatever towards satisfying the States composing the southern section of the Union that they can, consistently with safety and honor, remain in the Union. It is, in fact, but a modification of the Wilmot Proviso. It proposes to effect the same object,—to exclude the South from all the territory acquired by the Mexican treaty. It is well known that the South is united against the Wilmot Proviso, and has committed itself by solemn resolutions to resist should it be adopted. Its opposition is not to the name, but that which it proposes to effect. That, the southern States hold to be unconstitutional, unjust, inconsistent with their equality as members of the common Union, and calculated to destroy irretrievably the equilibrium between the two sections.

These objections equally apply to what, for brevity, I will call the Executive Proviso. There is no difference between it and the Wilmot except in the mode of effecting the object; and in that respect I must say that the latter is much the least objectionable. It goes to its object openly, boldly, and distinctly. It claims for Congress unlimited power over the Territories, and proposes to assert it over Territories acquired from Mexico, by a positive prohibition of slavery.

Not so the Executive Proviso. It takes an indirect course,

and in order to elude the Wilmot Proviso, and thereby avoid encountering the united and determined resistance of the South, it denies, by implication, the authority of Congress to legislate for the Territories, and claims the right as belonging exclusively to the inhabitants of the Territories. But to effect the object of excluding the South, it takes care, in the meantime, to let in immigrants freely from the northern States and all other quarters except from the South, which it takes special care to exclude by holding up to them the danger of having their slaves liberated under the Mexican laws. The necessary consequence is to exclude the South from the Territory just as effectually as would the Wilmot Proviso. The only difference in this respect is, that what one proposes to effect directly and openly, the other proposes to effect indirectly and covertly. . . .

Having now shown what cannot save the Union, I return to the question with which I commenced,—How can the Union be saved? There is but one way by which it can with any certainty; and that is by a full and final settlement, on the principle of justice, of all the questions at issue between the two sections. The South asks for justice, simple justice, and less she ought not to take. She has no compromise to offer but the constitution, and no concession or surrender to make. She has already surrendered so much that she has little left to surrender. Such a settlement would go to the root of the evil, and remove all cause of discontent, by satisfying the South that she could remain honorably and safely in the Union, and thereby restore the harmony and fraternal feelings between the sections which existed anterior to the Missouri agitation. Nothing else can, with any certainty, finally and forever settle the question at issue, terminate agitation, and save the Union.

But can this be done? Yes, easily; not by the weaker party, for it can of itself do nothing — not even protect itself — but by the stronger. The North has only to will it to accomplish it — to do justice by conceding to the South an equal right in the acquired territory, and to do her duty by causing the stipulations relative to fugitive slaves to be faithfully fulfilled — to cease the agitation of the slave question, and to provide for the insertion of a provision in the constitution, by an amendment, which will restore to the South, in substance, the power she possessed of protecting herself before the equilibrium between the sections was destroyed by the action of this government. There will be no difficulty in devising such a provision — one that will protect the South, and which at the same time will improve and strengthen the government instead of impairing and weakening it.

But will the North agree to this? It is for her to answer the question. But, I will say, she cannot refuse if she has half the love of the Union which she professes to have, or without justly exposing herself to the charge that her love of power and aggrandizement is far greater than her love of the Union. At all events, the responsibility of saving the Union rests on the North, and not on the South. The South cannot save it by any act of hers, and the North may save it without any sacrifice whatever, unless to do justice and to perform her duties under the constitution should be regarded by her as a sacrifice.

It is time, Senators, that there should be an open and manly avowal on all sides as to what is intended to be done. If the question is not now settled, it is uncertain whether it ever can hereafter be; and we, as the representatives of the States of this Union regarded as governments, should come to

a distinct understanding as to our respective views, in order to ascertain whether the great questions at issue can be settled or not. If you, who represent the stronger portion, cannot agree to settle them on the broad principle of justice and duty, say so; and let the States we both represent agree to separate and part in peace.

If you are unwilling we should part in peace, tell us so; and we shall know what to do when you reduce the question to submission or resistance. If you remain silent, you will compel us to infer by your acts what you intend. In that case California will become the test question. If you admit her under all the difficulties that oppose her admission, you compel us to infer that you intend to exclude us from the whole of the acquired Territories, with the intention of destroying irretrievably the equilibrium between the two sections. We should be blind not to perceive in that case that your real objects are power and aggrandizement, and infatuated, not to act accordingly.

I have now, Senators, done my duty in expressing my opinions fully, freely, and candidly on this solemn occasion. In doing so I have been governed by the motives which have governed me in all the stages of the agitation of the slavery question since its commencement. I have exerted myself during the whole period to arrest it, with the intention of saving the Union if it could be done; and if it could not, to save the section where it has pleased Providence to cast my lot, and which I sincerely believe has justice and the constitution on its side. Having faithfully done my duty to the best of my ability, both to the Union and my section, throughout this agitation, I shall have the consolation, let what will come, that I am free from all responsibility.

# WEBSTER

DANIEL WEBSTER was born at Salisbury, New Hampshire, in 1782. His father had risen to the rank of captain in the "French and Indian War." After an imperfect preparation, he graduated at Dartmouth College in 1801, studied law, and was admitted to the bar in Boston four years later. Out of regard for his father, the young man began practice near his early home, but he subsequently removed to Portsmouth, and there took a leading place in his profession. In May, 1813, he entered Congress as a Representative from New Hampshire, but being a Federalist, he was unable to exert much influence. In 1816 he gave up political life for some years, and removed to Boston, where his reputation as a lawyer soon became national. The foundation of his fame as an orator, in contradistinction to his legal eminence, may be said to have been laid by his address at Plymouth in 1820, on the two hundredth anniversary of the landing of the Pilgrims. He next delivered the address at the laying of the cornerstone of the Bunker Hill monument in 1825, on the fiftieth anniversary of the battle, and then that which commemorated in 1826 the fiftieth anniversary of the Declaration of Independence, and the coincident deaths of Jefferson and John Adams. His finest subsequent speeches, outside of legislative halls, were made on the completion of the Bunker Hill monument in 1843 and at the laying of the cornerstone of the addition to the Capitol at Washington in 1851. In December, 1823, Webster returned to Congress as a Representative from Massachusetts, and his earliest speech was held to have made him the first of Congressional speakers. In 1827 he was sent from Massachusetts to the United States Senate, wherein he remained until his death, with the exception of the period of his service in the Cabinet. In January, 1830, he delivered the speech known as the "Reply to Hayne," which made him illustrious, and put him forward for twenty years as the champion of Northern sentiment regarding the nature of the Union. Throughout those decades he was continually pitted against John C. Calhoun. When the Whig party came into power in 1841, Webster was appointed Secretary of State, and he retained the post under Tyler, after his colleagues had broken with the new President and resigned. It was he who settled the boundary of Maine by the treaty negotiated with Lord Ashburton in 1842. He opposed the annexation of Texas and the Mexican war. The speech delivered by him on the 7th of March, 1850, in which he advocated the compromise measures proposed in that year by Henry Clay, stamped him, in

the opinion of many of his former Northern worshippers, as a recreant bidding for Southern votes for the Presidency. As a matter of fact, it was not he, but it was they, who had changed. He failed to receive the Whig nomination for that office in 1852, and died at his home in Marshfield, Massachusetts, in October of that year.

## THE REPLY TO HAYNE

DELIVERED IN THE UNITED STATES SENATE, IN REPLY TO HAYNE ON THE FOOT RESOLUTION, JANUARY 26, 1830

*Mr. President:*

WHEN the mariner has been tossed for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and, before we float further on the waves of this debate, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution.

The Secretary read the resolution, as follows:

"*Resolved*, That the Committee on Public Lands be instructed to inquire and report the quantity of public lands remaining unsold within each State and Territory, and whether it be expedient to limit, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of Surveyor-General, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales and extend more rapidly the surveys of the public lands."

We have thus heard, sir, what the resolution is, which is actually before us for consideration; and it will readily occur to every one that it is almost the only subject about which something has not been said in the speech, running through two days, by which the Senate has now been entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present—everything, general or local, whether belonging to national politics, or party politics, seems to have attracted more or less of the honorable member's attention, save only the resolution before the Senate. He has spoken of everything but the public lands. They have escaped his notice. To that subject, in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, sir, was to be resumed on Thursday morning, it so happened that it would have been convenient for me to be elsewhere. The honorable member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, sir, which it was kind thus to inform us was coming, that we might stand out of the way, or prepare ourselves to fall before it, and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and has spent its force. It may become me to say no more of its effect than that if nobody is found, after all, either killed or wounded by it, it is not the first time, in the history of human affairs, that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his

heart, that there was something rankling here, which he wished to relieve.

Mr. Hayne rose, and disclaimed having used the word "rankling."

It would not, Mr. President, be safe for the honorable member to appeal to those around him upon the question whether he did, in fact, make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something here, he said, of which he wished to rid himself by an immediate reply. In this respect, sir, I have a great advantage over the honorable gentleman. There is nothing here, sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either —the consciousness of having been in the wrong. There is nothing, either originating here, or now received here by the gentleman's shot. Nothing original, for I had not the slightest feeling of disrespect or unkindness toward the honorable member. Some passages, it is true, had occurred since our acquaintance in this body, which I could have wished might have been otherwise; but I had used philosophy and forgotten them. When the honorable member rose, in his first speech, I paid him the respect of attentive listening; and when he sat down, though surprised, and, I must say, even astonished, at some of his opinions, nothing was further from my intention than to commence any personal warfare: and through the whole of the few remarks I made in answer, I avoided, studiously and carefully, everything which I thought possible to be construed into disrespect. And, sir, while there

is thus nothing originating here, which I wished at any time or now wish to discharge, I must repeat, also, that nothing has been received here which rankles, or in any way gives me annoyance. I will not accuse the honorable member of violating the rules of civilized war—I will not say that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling, if they had reached, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to gather up those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.

The honorable member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable member sat down, his friend from Missouri rose, and, with much honeyed commendation of the speech, suggested that the impressions which it had produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, sir, to interrupt this excellent good feeling? Must I not have been absolutely malicious, if I could have thrust myself forward to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself and to allow others also the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake; owing to other engagements I could not employ even the interval between the adjournment of the Senate and its meeting the next morning, in attention to the subject of this debate. Nevertheless, sir, the mere matter of fact is undoubtedly true—I

did sleep on the gentleman's speech; and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that in this respect, also, I possess some advantage over the honorable member, attributable, doubtless, to a cooler temperament on my part; for, in truth, I slept upon his speeches remarkably well. But the gentleman inquires why he was made the object of such a reply? Why was he singled out? If an attack has been made on the East, he, he assures us, did not begin it—it was the gentleman from Missouri. Sir, I answered the gentleman's speech because I happened to hear it: and because, also, I chose to give an answer to that speech which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible indorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility without delay. But, sir, this interrogatory of the honorable member was only introductory to another. He proceeded to ask me whether I had turned upon him, in this debate, from the consciousness that I should find an overmatch if I ventured on a contest with his friend from Missouri. If, sir, the honorable member, *ex gratia modestiæ*, had chosen thus to defer to his friend and to pay him a compliment, without intentional disparagement to others, it would have been quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, sir, who esteem any tribute of regard, whether light and occasional, or more serious and deliberate, which may be bestowed on others, as so much unjustly withholden from themselves. But the tone and manner of the gentleman's question forbid me that I thus interpret it. I am not at

liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, something of the loftiness of asserted superiority, which does not allow me to pass over it without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer: Whether I deemed the member from Missouri an overmatch for myself in debate here. It seems to me, sir, that this is extraordinary language, and an extraordinary tone, for the discussions of this body.

Matches and overmatches! Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forget where and what we are. This is a Senate; a Senate of equals: of men of individual honor and personal character, and of absolute independence. We know no masters; we acknowledge no dictators. This is a hall for mutual consultation and discussion; not an arena for the exhibition of champions. I offer myself, sir, as a match for no man; I throw the challenge of debate at no man's feet. But then, sir, since the honorable member has put the question in a manner that calls for an answer, I will give him an answer; and I tell him that, holding myself to be the humblest of the members here, I yet know nothing in the arm of his friend from Missouri, either alone, or when aided by the arm of his friend from South Carolina, that need deter even me from espousing whatever opinions I may choose to espouse, from debating whatever I may choose to debate, or from speaking whatever I may see fit to say on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable member might say of his friend. Still less do I put forth any pretensions of my own. But, when put to

me as a matter of taunt, I throw it back, and say to the gentleman that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger of its tone rescued the remark from intentional irony, which otherwise probably would have been its general acceptation. But, sir, if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part, to one the attack, to another the cry of onset; or if it be thought that by a loud and empty vaunt of anticipated victory any laurels are to be won here; if it be imagined, especially, that any or all these things will shake any purpose of mine, I can tell the honorable member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has yet much to learn. Sir, I shall not allow myself on this occasion, I hope on no occasion, to be betrayed into any loss of temper; but if provoked, as I trust I never shall be, into crimination and recrimination, the honorable member may perhaps find that, in that contest, there will be blows to take as well as blows to give; that others can state comparisons as significant, at least, as his own; and that his impunity may possibly demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

But, sir, the coalition! The coalition! Ay, "the murdered coalition"! The gentleman asks if I were led or frightened into this debate by the spectre of the coalition— "Was it the ghost of the murdered coalition," he exclaims, "which haunted the member from Massachusetts, and which, like the ghost of Banquo, would never down?" "The murdered coalition!" Sir, this charge of a coalition, in refer-

ence to the late administration, is not original with the honorable member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin and a still lower present condition. It is one of the thousand calumnies with which the press teemed during an excited political canvass. It was a charge of which there was not only no proof or probability, but which was, in itself, wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods, which, by continued repetition, through all the organs of detraction and abuse, are capable of misleading those who are already far misled, and of further fanning passion, already kindling into flame. Doubtless it served in its day, and in greater or less degree the end designed by it. Having done that, it has sunk into the general mass of stale and loathed calumnies. It is the very cast-off slough of a polluted and shameless press. Incapable of further mischief, it lies in the sewer, lifeless and despised. It is not now, sir, in the power of the honorable member to give it dignity or decency by attempting to elevate it, and to introduce it into the Senate. He cannot change it from what it is, an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, sir, the honorable member was not, for other reasons, entirely happy in his allusion to the story of Banquo's murder and Banquo's ghost. It was not, I think, the friends, but the enemies of the murdered Banquo, at whose bidding his spirit would not down. The honorable gentleman is fresh in his reading of the English classics,

and can put me right if I am wrong; but, according to my poor recollection, it was at those who had begun with caresses, and ended with foul and treacherous murder, that the gory locks were shaken! The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out, A ghost! It made itself visible in the right quarter, and compelled the guilty and the conscience-smitten, and none others, to start with—

> "Pr'ythee, see there! behold!—look! lo![1]
> If I stand here, I saw him!"

Their eyeballs were seared (was it not so, sir?) who had thought to shield themselves by concealing their own hand and laying the imputation of the crime on a low and hireling agency in wickedness; who had vainly attempted to stifle the workings of their own coward consciences by ejaculating, through white lips and chattering teeth: "Thou canst not say I did it!" I have misread the great poet if those who had in no way partaken in the deed of the death either found that they were, or feared that they should be, pushed from their stools by the ghost of the slain, or exclaimed to a spectre created by their own fears and their own remorse: "Avaunt! and quit our sight!"

There is another particular, sir, in which the honorable member's quick perception of resemblances might, I should think, have seen something in the story of Banquo, making it not altogether a subject of the most pleasant contemplation. Those who murdered Banquo, what did they win by it? Substantial good? Permanent power? Or disappointment, rather, and sore mortification—dust and ashes—the

[1] Mr. Webster quoted from memory. See "Macbeth," Scene 4, Act 4.

common fate of vaulting ambition, overleaping itself? Did not even-handed justice erelong commend the poisoned chalice to their own lips? Did they not soon find that for another they had "filed their mind"? that their ambition, though apparently for the moment successful, had but put a barren sceptre in their grasp? Ay, sir—

> "A barren sceptre in their gripe,
> Thence to be wrenched by an unlineal hand,
> No son of theirs succeeding."

Sir, I need pursue the allusion no further. I leave the honorable gentleman to run it out at his leisure, and to derive from it all the gratification it is calculated to administer. If he find himself pleased with the associations and prepared to be quite satisfied, though the parallel should be entirely completed, I had almost said, I am satisfied also —but that I shall think of. Yes, sir, I will think of that.

In the course of my observations the other day, Mr. President, I paid a passing tribute of respect to a very worthy man, Mr. Dane, of Massachusetts. It so happened that he drew the Ordinance of 1787 for the government of the Northwestern Territory. A man of so much ability and so little pretence; of so great a capacity to do good and so unmixed a disposition to do it for its own sake; a gentleman who had acted an important part forty years ago, in a measure the influence of which is still deeply felt in the very matter which was the subject of debate, might, I thought, receive from me a commendatory recognition.

But the honorable member was inclined to be facetious on the subject. He was rather disposed to make it matter of ridicule that I had introduced into the debate the name of one Nathan Dane, of whom he assures us he had never before heard. Sir, if the honorable member had never be-

fore heard of Mr. Dane, I am sorry for it. It shows him less acquainted with the public men of the country than I had supposed. Let me tell him, however, that a sneer from him at the mention of the name of Mr. Dane is in bad taste. It may well be a high mark of ambition, sir, either with the honorable gentleman or myself, to accomplish as much to make our names known to advantage, and remembered with gratitude, as Mr. Dane has accomplished. But the truth is, sir, I suspect that Mr. Dane lives a little too far north. He is of Massachusetts, and too near the north star to be reached by the honorable gentleman's telescope. If his sphere had happened to range south of Mason and Dixon's Line, he might, probably, have come within the scope of his vision!

I spoke, sir, of the Ordinance of 1787, which prohibited slavery in all future times, northwest of the Ohio, as a measure of great wisdom and foresight, and one which had been attended with highly beneficial and permanent consequences. I supposed that on this point no two gentlemen in the Senate could entertain different opinions. But the simple expression of this sentiment has led the gentleman, not only into a labored defence of slavery, in the abstract, and on principle, but, also, into a warm accusation against me, as having attacked the system of domestic slavery now existing in the Southern States. For all this there was not the slightest foundation in anything said or intimated by me. I did not utter a single word which any ingenuity could torture into an attack on the slavery of the South. I said only that it was highly wise and useful in legislating for the northwestern country, while it was yet a wilderness, to prohibit the introduction of slaves; and added that I presumed, in the neighboring State of Kentucky, there was no

reflecting and intelligent gentleman who would doubt that if the same prohibition had been extended at the same early period over that Commonwealth, her strength and population would, at this day, have been far greater than they are. If these opinions be thought doubtful, they are, nevertheless, I trust, neither extraordinary nor disrespectful. They attack nobody and menace nobody. And yet, sir, the gentleman's optics have discovered, even in the mere expression of this sentiment, what he calls the very spirit of the Missouri question! He represents me as making an onset on the whole South, and manifesting a spirit which would interfere with and disturb their domestic condition! Sir, this injustice no otherwise surprises me than as it is committed here, and committed without the slightest pretence of ground for it. I say it only surprises me as being done here; for I know full well that it is, and has been, the settled policy of some persons in the South, for years, to represent the people of the North as disposed to interfere with them in their own exclusive and peculiar concerns. This is a delicate and sensitive point in Southern feeling; and of late years it has always been touched, and generally with effect, whenever the object has been to unite the whole South against Northern men or Northern measures. This feeling, always carefully kept alive, and maintained at too intense a heat to admit discrimination or reflection, is a lever of great power in our political machine. It moves vast bodies, and gives to them one and the same direction. But it is without all adequate cause; and the suspicion which exists wholly groundless. There is not, and never has been, a disposition in the North to interfere with these interests of the South. Such interference has never been supposed to be within the power of govern-

ment; nor has it been in any way attempted. The slavery of the South has always been regarded a matter of domestic policy, left with the States themselves, and with which the Federal Government had nothing to do. Certainly, sir, I am and ever have been of that opinion. The gentleman, indeed, argues that slavery in the abstract is no evil. Most assuredly I need not say I differ with him, altogether and most widely, on that point. I regard domestic slavery as one of the greatest of evils, both moral and political. But though it be a malady, and whether it be curable, and if so, by what means; or, on the other hand, whether it be the *vulnus immedicabile* of the social system, I leave it to those whose right and duty it is to inquire and to decide. And this I believe, sir, is, and uniformly has been, the sentiment of the North. Let us look a little at the history of this matter.

When the present Constitution was submitted for the ratification of the people, there were those who imagined that the powers of the government which it proposed to establish, might, perhaps, in some possible mode, be exerted in measures tending to the abolition of slavery. This suggestion would, of course, attract much attention in the Southern conventions. In that of Virginia, Governor Randolph said:

"I hope there is none here, who, considering the subject in the calm light of philosophy, will make an objection dishonorable to Virginia—that at the moment they are securing the rights of their citizens, an objection is started that there is a spark of hope that those unfortunate men now held in bondage, may, by the operation of the general government, be made free."

At the very first Congress, petitions on the subject were

presented, if I mistake not, from different States. The Pennsylvania society for promoting the abolition of slavery took the lead, and laid before Congress a memorial, praying Congress to promote the abolition by such powers as it possessed. This memorial was referred, in the House of Representatives, to a select committee, consisting of Mr. Foster of New Hampshire, Mr. Gerry of Massachusetts, Mr. Huntington of Connecticut, Mr. Lawrence of New York, Mr. Sinnickson of New Jersey, Mr. Hartley of Pennsylvania, and Mr. Parker of Virginia—all of them, sir, as you will observe, Northern men, but the last. This committee made a report, which was committed to a committee of the whole House, and there considered and discussed on several days; and being amended, although without material alteration, it was made to express three distinct propositions, on the subject of slavery and the slave trade. First, in the words of the Constitution, that Congress could not, prior to the year 1808, prohibit the migration or importation of such persons as any of the States then existing should think proper to admit. Second, that Congress had authority to restrain the citizens of the United States from carrying on the African slave trade, for the purpose of supplying foreign countries. On this proposition, our early laws against those who engage in that traffic are founded. The third proposition, and that which bears on the present question was expressed in the following terms:

"*Resolved*, That Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them in any of the States; it remaining with the several States alone to provide rules and regulations therein, which humanity and true policy may require."

This resolution received the sanction of the House of

Representatives so early as March, 1790. And now, sir, the honorable member will allow me to remind him that not only were the select committee who reported the resolution, with a single exception, all Northern men, but also that of the members then composing the House of Representatives, a large majority, I believe nearly two-thirds, were Northern men also.

The House agreed to insert these resolutions in its journal; and from that day to this, it has never been maintained or contended that Congress had any authority to regulate or interfere with the condition of slaves in the several States. No Northern gentleman, to my knowledge, has moved any such question in either House of Congress.

The fears of the South, whatever fears they might have entertained, were allayed and quieted by this early decision; and so remained, till they were excited afresh, without cause, but for collateral and indirect purposes. When it became necessary, or was thought so, by some political persons, to find an unvarying ground for the exclusion of Northern men from confidence and from the lead in the affairs of the Republic, then, and not till then, the cry was raised, and the feeling industriously excited, that the influence of Northern men in the public councils would endanger the relation of master and slave. For myself, I claim no other merit than that this gross and enormous injustice toward the whole North has not wrought upon me to change my opinions or my political conduct. I hope I am above violating my principles, even under the smart of injury and false imputations. Unjust suspicions and undeserved reproach, whatever pain I may experience from them, will not induce me, I trust, nevertheless, to overstep the limits of constitutional duty, or to encroach on the

rights of others. The domestic slavery of the South I leave where I find it—in the hands of their own governments. It is their affair, not mine. Nor do I complain of the peculiar effect which the magnitude of that population has had in the distribution of power under this Federal Government. We know, sir, that the representation of the States in the other House is not equal. We know that great advantage in that respect is enjoyed by the slaveholding States; and we know, too, that the intended equivalent for that advantage, that is to say, the imposition of direct taxes in the same ratio, has become merely nominal, the habit of the government being almost invariably to collect its revenue from other sources and in other modes. Nevertheless, I do not complain, nor would I countenance any movement to alter this arrangement of representation. It is the original bargain, the compact—let it stand; let the advantage of it be fully enjoyed. The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the Constitution as it is, and for the Union as it is. But I am resolved not to submit in silence to accusations, either against myself, individually, or against the North, wholly unfounded and unjust; accusations which impute to us a disposition to evade the constitutional compact, and to extend the power of the government over the internal laws and domestic condition of the States. All such accusations, wherever and whenever made, all insinuations of the existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in Southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling will lead them to a desire to maintain and disseminate truth, and who possess the means of its diffusion

with the Southern public; we must leave it to them to disabuse that public of its prejudices. But, in the meantime, for my own part, I shall continue to act justly, whether those toward whom justice is exercised receive it with candor or with contumely.

Having had occasion to recur to the Ordinance of 1787, in order to defend myself against the inferences which the honorable member has chosen to draw from my former observations on that subject, I am not willing now entirely to take leave of it without another remark. It need hardly be said that that paper expresses just sentiments on the great subject of civil and religious liberty. Such sentiments were common, and abound in all our State papers of that day. But this ordinance did that which was not so common, and which is not, even now, universal; that is, it set forth and declared, as a high and binding duty of government itself, to encourage schools and advance the means of education, on the plain reason that religion, morality, and knowledge are necessary to good government and to the happiness of mankind. One observation further. The important provision incorporated into the Constitution of the United States and several of those of the States, and recently, as we have seen, adopted into the reformed Constitution of Virginia, restraining legislative power in questions of private right, and from impairing the obligation of contracts, is first introduced and established, as far as I am informed, as matter of express written constitutional law, in this Ordinance of 1787. And I must add, also, in regard to the author of the ordinance, who has not had the happiness to attract the gentleman's notice, heretofore, nor to avoid his sarcasm now, that he was chairman of that select committee of the old Congress, whose report first expressed the strong

sense of that body, that the old Confederation was not adequate to the exigencies of the country, and recommending to the States to send delegates to the Convention which formed the present Constitution.

An attempt has been made to transfer from the North to the South the honor of this exclusion of slavery from the Northwestern Territory. The journal, without argument or comment, refutes such attempt. The cession by Virginia was made March, 1784. On the nineteenth of April following, a committee, consisting of Messrs. Jefferson, Chase and Howell, reported a plan for a temporary government of the Territory, in which was this article: "That, after the year 1800, there shall be neither slavery, nor involuntary servitude in any of the said States, otherwise than in punishment of crimes, whereof the party shall have been convicted." Mr. Spaight, of North Carolina, moved to strike out this paragraph. The question was put according to the form then practiced: "Shall these words stand as part of the plan," etc. New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania—seven States—voted in the affirmative; Maryland, Virginia, and South Carolina in the negative. North Carolina was divided. As the consent of nine States was necessary, the words could not stand, and were struck out accordingly. Mr. Jefferson voted for the clause, but was overruled by his colleagues.

In March of the next year (1785), Mr. King, of Massachusetts, seconded by Mr. Ellery, of Rhode Island, proposed the formerly rejected article, with this addition: "And that this regulation shall be an article of compact, and remain a fundamental principle of the constitutions between the thirteen original States, and each of the States described in the

resolve," etc. On this clause, which provided the adequate and thorough security, the eight Northern States of that time voted affirmatively, and the four Southern States negatively. The votes of nine States were not yet obtained, and thus the provision was again rejected by the Southern States. The perseverance of the North held out, and two years afterward the object was attained. It is no derogation from the credit, whatever that may be, of drawing the ordinance, that its principles had before been prepared and discussed in the form of resolutions. If one should reason in that way, what would become of the distinguished honor of the author of the Declaration of Independence? There is not a sentiment in that paper which had not been voted and resolved in the assemblies and other popular bodies in the country over and over again.

But the honorable member has now found out that this gentleman [Mr. Dane] was a member of the Hartford Convention. However uninformed the honorable member may be of characters and occurrences at the North, it would seem that he has at his elbow on this occasion some high-minded and lofty spirit, some magnanimous and true-hearted monitor, possessing the means of local knowledge, and ready to supply the honorable member with everything down even to forgotten and moth-eaten twopenny pamphlets, which may be used to the disadvantage of his own country. But as to the Hartford Convention, sir, allow me to say that the proceedings of that body seem now to be less read and studied in New England than further south. They appear to be looked to, not in New England, but elsewhere, for the purpose of seeing how far they may serve as a precedent. But they will not answer the purpose—they are quite too tame. The latitude in which they originated was too cold.

Other conventions of more recent existence have gone a whole bar's length beyond it. The learned doctors of Colleton and Abbeville have pushed their commentaries on the Hartford collect so far that the original text writers are thrown entirely into the shade. I have nothing to do, sir, with the Hartford Convention. Its journal, which the gentleman has quoted, I never read. So far as the honorable member may discover in its proceedings a spirit in any degree resembling that which was avowed and justified in those other conventions to which I have alluded, or so far as those proceedings can be shown to be disloyal to the Constitution, or tending to disunion, so far I shall be as ready as any one to bestow on them reprehension and censure.

Having dwelt long on this convention, and other occurrences of that day, in the hope, probably (which will not be gratified), that I should leave the course of this debate to follow him, at length, in those excursions, the honorable member returned and attempted another object. He referred to a speech of mine in the other House, the same which I had occasion to allude to myself the other day, and has quoted a passage or two from it with a bold, though uneasy and laboring air of confidence, as if he had detected in me an inconsistency. Judging from the gentleman's manner, a stranger to the course of the debate, and to the point in discussion, would have imagined from so triumphant a tone that the honorable member was about to overwhelm me with a manifest contradiction. Any one who heard him, and who had not heard what I had, in fact, previously said, must have thought me routed and discomfited, as the gentleman had promised. Sir, a breath blows all this triumph away. There is not the slightest difference

in the sentiments of my remarks on the two occasions. What I said here on Wednesday is in exact accordance with the opinion expressed by me in the other House in 1825. Though the gentleman had the metaphysics of Hudibras, though he were able

> "To sever and divide
> A hair 'twixt north and northwest side,"

he yet could not insert his metaphysical scissors between the fair reading of my remarks in 1825, and what I said here last week. There is not only no contradiction, no difference, but, in truth, too exact a similarity, both in thought and language, to be entirely in just taste. I had myself quoted the same speech, had recurred to it, and spoke with it open before me, and much of what I said was little more than a repetition from it. In order to make finishing work with this alleged contradiction, permit me to recur to the origin of this debate and review its course. This seems expedient and may be done as well now as at any time.

Well, then, its history is this: The honorable member from Connecticut moved a resolution, which constitutes the first branch of that which is now before us; that is to say, a resolution instructing the Committee on Public Lands to inquire into the expediency of limiting, for a certain period, the sales of the public lands, to such as have heretofore been offered for sale; and whether sundry offices connected with the sales of the lands might not be abolished without detriment to the public service.

In the progress of the discussion which arose on this resolution, an honorable member from New Hampshire moved to amend the resolution so as entirely to reverse its object; that is to strike it all out and insert a direction to

the committee to inquire into the expediency of adopting measures to hasten the sales and extend more rapidly the surveys of the lands.

The honorable member from Maine, Mr. Sprague, suggested that both those propositions might well enough go for consideration to the committee; and in this state of the question, the member from South Carolina addressed the Senate in his first speech. He rose, he said, to give us his own free thoughts on the public lands. I saw him rise with pleasure and listened with expectation, though before he concluded I was filled with surprise. Certainly, I was never more surprised than to find him following up, to the extent he did, the sentiments and opinions which the gentleman from Missouri had put forth, and which it is known he has long entertained.

I need not repeat at large the general topics of the honorable gentleman's speech. When he said yesterday that he did not attack the Eastern States, he certainly must have forgotten, not only particular remarks, but the whole drift and tenor of his speech; unless he means by not attacking, that he did not commence hostilities—but that another had preceded him in the attack. He, in the first place, disapproved of the whole course of the government, for forty years, in regard to its dispositions of the public land; and then turning northward and eastward, and fancying he had found a cause for alleged narrowness and niggardliness in the "accursed policy" of the tariff, to which he represented the people of New England as wedded, he went on for a full hour with remarks, the whole scope of which was to exhibit the results of this policy, in feelings and in measures unfavorable to the West. I thought his opinions unfounded and erroneous

as to the general course of the government, and ventured to reply to them.

The gentleman had remarked on the analogy of other cases, and quoted the conduct of European governments toward their own subjects, settling on this continent, as in point to show that we had been harsh and rigid in selling, when we should have given the public lands to settlers without price. I thought the honorable member had suffered his judgment to be betrayed by a false analogy; that he was struck with an appearance of resemblance where there was no real similitude. I think so still. The first settlers of North America were enterprising spirits, engaged in private adventure or fleeing from tyranny at home. When arrived here they were forgotten by the mother country, or remembered only to be oppressed. Carried away again by the appearance of analogy, or struck with the eloquence of the passage, the honorable member yesterday observed that the conduct of government toward the Western emigrants, or my representation of it, brought to his mind a celebrated speech in the British Parliament. It was, sir, the speech of Colonel Barre. On the question of the Stamp Act, or tea tax, I forget which, Colonel Barre had heard a member on the Treasury bench argue that the people of the United States, being British colonists, planted by the maternal care, nourished by the indulgence, and protected by the arms of England, would not grudge their mite to relieve the mother country from the heavy burden under which she groaned. The language of Colonel Barre, in reply to this, was: They planted by your care? Your oppression planted them in America. They fled from your tyranny, and grew by your neglect of them. So soon as you began to care for them, you showed your care by sending persons to spy out their

liberties, misrepresent their character, prey upon them and eat out their substance.

And how does the honorable gentleman mean to maintain that language like this is applicable to the conduct of the government of the United States toward the Western emigrants, or to any representation given by me of that conduct? Were the settlers in the West driven thither by our oppression? Have they flourished only by our neglect of them? Has the government done nothing but to prey upon them and eat out their substance? Sir, this fervid eloquence of the British speaker, just when and where it was uttered, and fit to remain an exercise for the schools, is not a little out of place when it is brought thence to be applied here to the conduct of our own country toward her own citizens. From America to England, it may be true; from Americans to their own government it would be strange language. Let us leave it to be recited and declaimed by our boys against a foreign nation; not introduce it here, to recite and declaim ourselves against our own.

But I come to the point of the alleged contradiction. In my remarks on Wednesday I contended that we could not give away gratuitously all the public lands; that we held them in trust; that the government had solemnly pledged itself to dispose of them as a common fund for the common benefit, and to sell and settle them as its discretion should dictate. Now, sir, what contradiction does the gentleman find to this sentiment, in the speech of 1825? He quotes me as having then said that we ought not to hug these lands as a very great treasure. Very well, sir, supposing me to be accurately reported in that expression, what is the contradiction? I have not now said that we should hug these lands as a favorite source of pecuniary income. No such

thing. It is not my view. What I have said, and what I do say, is that they are a common fund—to be disposed of for the common benefit—to be sold at low prices for the accommodation of settlers, keeping the object of settling the lands as much in view as that of raising money from them. This I say now, and this I have always said. Is this hugging them as a favorite treasure? Is there no difference between hugging and hoarding this fund, on the one hand, as a great treasure, and, on the other, of disposing of it at low prices, placing the proceeds in the general treasury of the Union? My opinion is that as much is to be made of the land as fairly and reasonably may be, selling it all the while at such rates as to give the fullest effect to settlement. This is not giving it all away to the States, as the gentleman would propose; nor is it hugging the fund closely and tenaciously, as a favorite treasure; but it is, in my judgment, a just and wise policy, perfectly according with all the various duties which rest on government. So much for my contradiction. And what is it? Where is the ground for the gentleman's triumph? What inconsistency in word or doctrine has he been able to detect? Sir, if this be a sample of that discomfiture, with which the honorable gentleman threatened me, commend me to the word discomfiture for the rest of my life.

But, after all, this is not the point of the debate, and I must now bring the gentleman back to what is the point.

The real question between me and him is: Has the doctrine been advanced at the South or the East, that the population of the West should be retarded, or at least need not be hastened, on account of its effect to drain off the people from the Atlantic States? Is this doctrine, as has been alleged, of Eastern origin? That is the question. Has the

gentleman found anything by which he can make good his accusation? I submit to the Senate, that he has entirely failed; and as far as this debate has shown, the only person who has advanced such sentiments is a gentleman from South Carolina, and a friend to the honorable member himself. The honorable gentleman has given no answer to this; there is none which can be given. The simple fact, while it requires no comment to enforce it, defies all argument to refute it. I could refer to the speeches of another Southern gentleman, in years before, of the same general character, and to the same effect, as that which has been quoted; but I will not consume the time of the Senate by the reading of them.

So then, sir, New England is guiltless of the policy of retarding Western population, and of all envy and jealousy of the growth of the new States. Whatever there be of that policy in the country, no part of it is hers. If it has a local habitation, the honorable member has probably seen, by this time, where to look for it; and if it now has received a name, he has himself christened it.

We approach, at length, sir, to a more important part of the honorable gentleman's observations. Since it does not accord with my views of justice and policy to give away the public lands altogether, as mere matter of gratuity, I am asked by the honorable gentleman on what ground it is that I consent to vote them away in particular instances? How, he inquires, do I reconcile with these professed sentiments my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the West? This leads, sir, to the real and wide difference, in political opinion, between the honorable gentleman and myself. On my part, I

look upon all these objects as connected with the common good, fairly embraced in its object and its terms; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put, at once explains this difference. "What interest," asks he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system; and its answer expounds mine. Here we differ. I look upon a road over the Alleghany, a canal round the falls of the Ohio, or a canal or railway from the Atlantic to the Western waters, as being an object large and extensive enough to be fairly said to be for the common benefit. The gentleman thinks otherwise, and this is the key to open his construction of the powers of the government. He may well ask: What interest has South Carolina in a canal in Ohio? On his system, it is true, she has no interest. On that system, Ohio and Carolina are different governments and different countries: connected here, it is true, by some slight and ill-defined bond of union, but, in all main respects, separate and diverse. On that system, Carolina has no more interest in a canal in Ohio than in Mexico. The gentleman, therefore, only follows out his own principles; he does no more than arrive at the natural conclusions of his own doctrines; he only announces the true results of that creed, which he has adopted himself, and would persuade others to adopt, when he thus declares that South Carolina has no interest in a public work in Ohio. Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the States, not as separated, but as united. We love to dwell on that union, and on the mutual happiness which it has so much promoted,

and the common renown which it has so greatly contributed to acquire. In our contemplation, Carolina and Ohio are parts of the same country; States, united under the same general government, having interests, common, associated, intermingled. In whatever is within the proper sphere of the constitutional power of this government, we look upon the States as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers and mountains, and lines of latitude, to find boundaries beyond which public improvements do not benefit us. We who come here as agents and representatives of these narrow-minded and selfish men of New England consider ourselves as bound to regard, with an equal eye, the good of the whole, in whatever is within our power of legislation. Sir, if a railroad or canal, beginning in South Carolina and ending in South Carolina, appeared to me to be of natural importance and national magnitude, believing, as I do, that the power of government extends to the encouragement of works of that description, if I were to stand up here, and ask: What interest has Massachusetts in a railroad in South Carolina? I should not be willing to face my constituents. These same narrow-minded men would tell me that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling; one who was not large enough, both in mind and in heart, to embrace the whole, was not fit to be intrusted with the interest of any part. Sir, I do not desire to enlarge the powers of the government, by unjustifiable construction; nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole. So far as respects the exercise of such a power, the States are one. It

was the very object of the Constitution to create unity of interests to the extent of the powers of the general government. In war and peace we are one; in commerce, one; because the authority of the general government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes than on the ocean; in improving the harbors of inland seas than if they were within the ebb and flow of the tide; or of removing obstructions in the vast streams of the West more than in any work to facilitate commerce on the Atlantic coast. If there be any power for one, there is power also for the other; and they are all and equally for the common good of the country.

There are other objects apparently more local, or the benefit of which is less general, toward which, nevertheless, I have concurred with others, to give aid, by donations of land. It is proposed to construct a road, in or through one of the new States, in which this government possesses large quantities of land. Have the United States no right, or, as a great and untaxed proprietor, are they under no obligation to contribute to an object thus calculated to promote the common good of all the proprietors, themselves included? And even with respect to education, which is the extreme case, let the question be considered. In the first place, as we have seen, it was made matter of compact with these States that they should do their part to promote education. In the next place, our whole system of land laws proceeds on the idea that education is for the common good; because, in every division, a certain portion is uniformly reserved and appropriated for the use of schools. And, finally, have not these new States singularly strong claims, founded on the ground already stated, that the government is a great

untaxed proprietor, in the ownership of the soil? It is a consideration of great importance, that, probably, there is in no part of the country, or of the world, so great call for the means of education as in those new States—owing to the vast numbers of persons within those ages in which education and instruction are usually received, if received at all. This is the natural consequence of recency of settlement and rapid increase. The census of these States shows how great a proportion of the whole population occupies the classes between infancy and manhood. These are the wide fields, and here is the deep and quick soil for the seeds of knowledge and virtue; and this is the favored season, the very springtime for sowing them. Let them be disseminated without stint. Let them be scattered with a bountiful broadcast. Whatever the government can fairly do toward these objects, in my opinion, ought to be done.

These, sir, are the grounds succinctly stated on which my votes for grants of lands for particular objects rest; while I maintain, at the same time, that it is all a common fund for the common benefit. And reasons like these, I presume, have influenced the votes of other gentlemen from New England! Those who have a different view of the powers of the government, of course, come to different conclusions on these as on other questions. I observed, when speaking on this subject before, that, if we looked to any measure, whether for a road, a canal, or anything else, intended for the improvement of the West, it would be found that, if the New England ayes were struck out of the lists of votes, the Southern noes would always have rejected the measure. The truth of this has not been denied and cannot be denied. In stating this, I thought it just to ascribe it to the constitutional scruples of the South rather than to any

other less favorable or less charitable cause. But no sooner had I done this, than the honorable gentleman asks if I reproach him and his friends with their constitutional scruples. Sir, I reproach nobody. I stated a fact and gave the most respectful reason for it that occurred to me. The gentleman cannot deny the fact; he may, if he choose, disclaim the reason. It is not long since I had occasion, in presenting a petition from his own State, to account for its being intrusted to my hands, by saying that the constitutional opinions of the gentleman and his worthy colleague prevented them from supporting it. Sir, did I state this as a matter of reproach? Far from it. Did I attempt to find any other cause than an honest one for these scruples? Sir, I did not. It did not become me to doubt or to insinuate that the gentleman had either changed his sentiments or that he had made up a set of constitutional opinions, accommodated to any particular combination of political occurrences. Had I done so, I should have felt that while I was entitled to little credit in thus questioning other people's motives, I justified the whole world in suspecting my own. But how has the gentleman returned this respect for others' opinions? His own candor and justice, how have they been exhibited toward the motives of others, while he has been at so much pains to maintain, what nobody has disputed, the purity of his own? Why, sir, he has asked when, and how, and why, New England votes were found going for measures favorable to the West? He has demanded to be informed whether all this did begin in 1825, and while the election of President was still pending? Sir, to these questions retort would be justified; and it is both cogent, and at hand. Nevertheless, I will answer the inquiry, not by retort, but by facts. I will tell the gentle-

man when, and how, and why, New England has supported measures favorable to the West. I have already referred to the early history of the government—to the first acquisition of the lands—to the original laws for disposing of them, and for governing the Territories where they lie; and have shown the influence of New England men and New England principles in all these leading measures. I should not be pardoned were I to go over that ground again. Coming to more recent times, and to measures of a less general character, I have endeavored to prove that everything of this kind, designed for Western improvement, has depended on the votes of New England; all this is true beyond the power of contradiction.

And now, sir, there are two measures to which I will refer, not so ancient as to belong to the early history of the public lands, and not so recent as to be on the side of the period when the gentleman charitably imagines a new direction may have been given to New England feeling and New England votes. These measures, and the New England votes in support of them, may be taken as samples and specimens of all the rest.

In 1820 (observe, Mr. President, in 1820), the people of the West besought Congress for a reduction in the price of lands. In favor of that reduction, New England, with a delegation of forty members in the other House, gave thirty-three votes, and one only against it. The four Southern States, with fifty members, gave thirty-two votes for it and seven against it. Again, in 1821 (observe again, sir, the time), the law passed for the relief of the purchasers of the public lands. This was a measure of vital importance to the West, and more especially to the Southwest. It authorized the relinquishment of contracts for lands,

which had been entered into at high prices, and a reduction in other cases of not less than thirty-seven and one-half per cent on the purchase money. Many millions of dollars—six or seven, I believe, at least, probably much more—were relinquished by this law. On this bill, New England, with her forty members, gave more affirmative votes than the four Southern States, with their fifty-two or three members.

These two are far the most important general measures respecting the public lands, which have been adopted within the last twenty years. They took place in 1820 and 1821. That is the time "when." As to the manner "how," the gentleman already sees that it was by voting, in solid column, for the required relief; and lastly, as to the cause "why," I tell the gentleman, it was because the members from New England thought the measures just and salutary; because they entertained toward the West neither envy, hatred, nor malice; because they deemed it becoming them, as just and enlightened public men, to meet the exigency which had arisen in the West, with the appropriate measure of relief; because they felt it due to their own characters, and the characters of their New England predecessors in this government, to act toward the new States in the spirit of a liberal, patronizing, magnanimous policy. So much, sir, for the cause "why"; and I hope that by this time, sir, the honorable gentleman is satisfied; if not, I do not know "when," or "how," or "why," he ever will be.

Having recurred to these two important measures, in answer to the gentleman's inquiries, I must now beg permission to go back to a period yet something earlier, for the purpose of still further showing how much, or rather how little, reason there is for the gentleman's insinuation that political hopes or fears, or party associations, were the

grounds of these New England votes. And after what has been said, I hope it may be forgiven me, if I allude to some political opinions and votes of my own, of very little public importance, certainly, but which, from the time at which they were given and expressed, may pass for good witnesses on this occasion.

This government, Mr. President, from its origin to the peace of 1815, had been too much engrossed with various other important concerns to be able to turn its thoughts inward, and look to the development of its vast internal resources. In the early part of President Washington's administration, it was fully occupied with completing its own organization, providing for the public debt, defending the frontiers, and maintaining domestic peace. Before the termination of that administration, the fires of the French Revolution blazed forth, as from a new-opened volcano, and the whole breadth of the ocean did not secure us from its effects. The smoke and the cinders reached us, though not the burning lava. Difficult and agitating questions, embarrassing to government, and dividing public opinion, sprung out of the new state of our foreign relations, and were succeeded by others, and yet again by others, equally embarrassing, and equally exciting division and discord, through the long series of twenty years, till they finally issued in the war with England. Down to the close of that war, no distinct, marked, and deliberate attention had been given, or could have been given, to the internal condition of the country, its capacities of improvement, or the constitutional power of the government, in regard to objects connected with such improvement.

The peace, Mr. President, brought about an entirely new and a most interesting state of things; it opened to us other

prospects, and suggested other duties. We ourselves were changed, and the whole world was changed. The pacification of Europe, after June, 1815, assumed a firm and permanent aspect. The nations evidently manifested that they were disposed for peace. Some agitation of the waves might be expected, even after the storm had subsided, but the tendency was, strongly and rapidly, toward settled repose.

It so happened, sir, that I was, at that time, a member of Congress, and, like others, naturally turned my attention to the contemplation of the newly altered condition of the country and of the world. It appeared plainly enough to me, as well as to wiser and more experienced men, that the policy of the government would naturally take a start in a new direction, because new directions would necessarily be given to the pursuits and occupations of the people. We had pushed our commerce far and fast, under the advantage of a neutral flag. But there were now no longer flags, either neutral or belligerent. The harvest of neutrality had been great, but we had gathered it all. With the peace of Europe, it was obvious there would spring up in her circle of nations, a revived and invigorated spirit of trade, and a new activity in all the business and objects of civilized life. Hereafter, our commercial gains were to be earned only by success, in a close and intense competition. Other nations would produce for themselves, and carry for themselves, and manufacture for themselves, to the full extent of their abilities. The crops of our plains would no longer sustain European armies, nor our ships longer supply those whom war had rendered unable to supply themselves. It was obvious that, under these circumstances, the country would begin to survey itself and to estimate its own ca-

pacity of improvement. And this improvement—how was it to be accomplished, and who was to accomplish it? We were ten or twelve millions of people, spread over almost half a world. We were more than twenty States, some stretching along the same seaboard, some along the same line of inland frontier, and others on opposite banks of the same vast rivers. Two considerations at once presented themselves, in looking at this state of things, with great force. One was that that great branch of improvement, which consisted in furnishing new facilities of intercourse, necessarily ran into different States, in every leading instance, and would benefit the citizens of all such States. No one State, therefore, in such cases, would assume the whole expense, nor was the co-operation of several States to be expected. Take the instance of the Delaware Breakwater. It will cost several millions of money. Would Pennsylvania alone ever have constructed it? Certainly never, while this Union lasts, because it is not for her sole benefit. Would Pennsylvania, New Jersey, and Delaware have united to accomplish it, at their joint expense? Certainly not, for the same reason. It could not be done, therefore, but by the general government. The same may be said of the large inland undertakings, except that, in them, government, instead of bearing the whole expense, co-operates with others who bear a part. The other consideration is, that the United States have the means. They enjoy the revenues derived from commerce, and the States have no abundant and easy sources of public income. The costom houses fill the general treasury, while the States have scanty resources, except by resort to heavy direct taxes.

Under this view of things I thought it necessary to settle, at least for myself, some definite notions with respect to the

powers of the government in regard to internal affairs. It may not savor too much of self-commendation to remark that with this object I considered the Constitution, its judicial construction, its contemporaneous exposition, and the whole history of the legislation of Congress under it; and I arrived at the conclusion that government had power to accomplish sundry objects, or aid in their accomplishment, which are now commonly spoken of as internal improvements. That conclusion, sir, may have been right, or it may have been wrong. I am not about to argue the grounds of it at large. I say only that it was adopted and acted on even so early as in 1816. Yes, Mr. President, I made up my opinion, and determined on my intended course of political conduct on these subjects in the Fourteenth Congress, in 1816. And now, Mr. President, I have further to say that I made up these opinions, and entered on this course of political conduct *Teucro duce.* Yes, sir, I pursued in all this a South Carolina track, on the doctrines of internal improvement. South Carolina, as she was then represented in the other House, set forth, in 1816, under a fresh and leading breeze, and I was among the followers. But if my leader sees new lights, and turns a sharp corner, unless I see new lights also, I keep straight on in the same path. I repeat that leading gentlemen from South Carolina were first and foremost in behalf of the doctrines of internal improvements, when those doctrines came first to be considered and acted upon in Congress. The debate on the bank question, on the tariff of 1816, and on the direct tax, will show who was who, and what was what at that time. The tariff of 1816, one of the plain cases of oppression and usurpation, from which, if the government does not recede, individual States may justly secede from

the government, is, sir, in truth, a South Carolina tariff, supported by South Carolina votes. But for those votes it could not have passed in the form in which it did pass; whereas, if it had depended on Massachusetts votes, it would have been lost. Does not the honorable gentleman well know all this? There are certainly those who do, full well, know it all. I do not say this to reproach South Carolina. I only state the fact; and I think it will appear to be true, that among the earliest and boldest advocates of the tariff, as a measure of protection, and on the express ground of protection, were leading gentlemen of South Carolina in Congress. I did not then, and cannot now, understand their language in any other sense. While this tariff of 1816 was under discussion in the House of Representatives, an honorable gentleman from Georgia, now of this House, Mr. Forsyth, moved to reduce the proposed duty on cotton. He failed by four votes, South Carolina giving three votes (enough to have turned the scale) against his motion. The act, sir, then passed, and received on its passage the support of a majority of the Representatives of South Carolina present and voting. This act is the first, in the order of those now denounced as plain usurpations. We see it daily, in the list by the side of those of 1824 and 1828, as a case of manifest oppression, justifying disunion. I put it home to the honorable member from South Carolina that his own State was not only "art and part" in this measure, but the *causa causans*. Without her aid this seminal principle of mischief, this root of the Upas, could not have been planted. I have already said, and it is true, that this act proceeded on the ground of protection. It interfered directly with existing interests of great value and amount. It cut up the Calcutta cotton trade by the roots, but it passed, nevertheless,

and it passed on the principle of protecting manufactures, on the principle against free trade, on the principle opposed to that which lets us alone.

Such, Mr. President, were the opinions of important and leading gentlemen from South Carolina, on the subject of internal improvements in 1816. I went out of Congress the next year; and returning again in 1823, thought I found South Carolina where I had left her. I really supposed that all things remained as they were, and that the South Carolina doctrine of internal improvements would be defended by the same eloquent voices and the same strong arms as formerly. In the lapse of these six years, it is true, political associations had assumed a new aspect and new divisions. A party had arisen in the South hostile to the doctrine of internal improvements, and had vigorously attacked that doctrine. Anti-consolidation was the flag under which this party fought; and its supporters inveighed against internal improvements much after the manner in which the honorable gentleman has now inveighed against them, as part and parcel of the system of consolidation. Whether this party arose in South Carolina herself, or in her neighborhood, is more than I know. I think the latter. However that may have been, there were those found in South Carolina ready to make war upon it, and who did make intrepid war upon it. Names being regarded as things, in such controversies, they bestowed on the anti-improvement gentlemen the appellation of Radicals. Yes, sir, the appellation of Radicals, as a term of distinction, applicable and applied to those who denied the liberal doctrines of internal improvements, originated, according to the best of my recollection, somewhere between North Carolina and Georgia. Well, sir, these mischievous Radicals were to be put down,

and the strong arm of South Carolina was stretched out to put them down. About this time, sir, I returned to Congress. The battle with the Radicals had been fought, and our South Carolina champions of the doctrines of internal improvement had nobly maintained their ground and were understood to have achieved a victory. We looked upon them as conquerors. They had driven back the enemy with discomfiture—a thing, by the way, sir, which is not always performed when it is promised. A gentleman, to whom I have already referred in this debate, had come into Congress during my absence from it, from South Carolina, and had brought with him a high reputation for ability. He came from a school with which we had been acquainted *et noscitur a sociis.* I hold in my hand, sir, a printed speech of this distinguished gentleman [Mr. McDuffie], "on internal improvements," delivered about the period to which I now refer, and printed with a few introductory remarks upon consolidation; in which, sir, I think he quite consolidated the arguments of his opponents, the Radicals, if to crush be to consolidate. I give you a short, but substantive quotation from these remarks. He is speaking of a pamphlet, then recently published, entitled "Consolidation"; and having alluded to the question of renewing the charter of the former Bank of the United States, he says:

"Moreover, in the early history of parties, and when Mr. Crawford advocated a renewal of the old charter, it was considered a Federal measure; which internal improvements never was, as this author erroneously states. This latter measure originated in the administration of Mr. Jefferson, with the appropriation for the Cumberland road; and was first proposed, as a system, by Mr. Calhoun, and carried through the House of Representatives by a large majority

of the Republicans, including almost every one of the leading men who carried us through the late war."

So, then, internal improvement is not one of the Federal heresies. One paragraph more, sir:

"The author in question, not content with denouncing, as Federalists, General Jackson, Mr. Adams, Mr. Calhoun, and the majority of the South Carolina delegation in Congress, modestly extends the denunciation to Mr. Monroe and the whole Republican party. Here are his words: 'During the administration of Mr. Monroe much has passed which the Republican party would be glad to approve if they could. But the principal feature, and that which has chiefly elicited these observations, is the renewal of the system of internal improvements.' Now this measure was adopted by a vote of one hundred and fifteen to eighty-six, of a Republican Congress, and sanctioned by a Republican President. Who, then, is this author—who assumes the high prerogative of denouncing, in the name of the Republican party, the Republican administration of the country? A denunciation including within its sweep Calhoun, Lowndes, and Cheves—men who will be regarded as the brightest ornaments of South Carolina, and the strongest pillars of the Republican party, as long as the late war shall be remembered, and talents and patriotism shall be regarded as the proper objects of the admiration and gratitude of a free people."

Such are the opinions, sir, which were maintained by South Carolina gentlemen, in the House of Representatives, on the subject of internal improvements, when I took my seat there as a member from Massachusetts in 1823. But this is not all. We had a bill before us, and passed it in that House, entitled: "An act to procure the necessary sur-

veys, plans, and estimates upon the subject of roads and canals." It authorized the President to cause surveys and estimates to be made of the routes of such roads and canals as he might deem of national importance, in a commercial or military point of view, or for the transportation of the mail, and appropriated thirty thousand dollars out of the Treasury to defray the expense. This act, though preliminary in its nature, covered the whole ground. It took for granted the complete power of internal improvement as far as any of its advocates had ever contended for it. Having passed the other House, the bill came up to the Senate, and was here considered and debated in April, 1824. The honorable member from South Carolina was a member of the Senate at that time. While the bill was under consideration here, a motion was made to add the following proviso:

"*Provided*, That nothing herein contained shall be construed to affirm or admit a power in Congress, on their own authority, to make roads or canals within any of the States of the Union."

The yeas and nays were taken on this proviso and the honorable member voted in the negative! The proviso failed.

A motion was then made to add this proviso, namely:

"*Provided*, That the faith of the United States is hereby pledged, that no money shall ever be expended for roads or canals, except it shall be among the several States and in the same proportion as direct taxes are laid and assessed by the provisions of the Constitution."

The honorable member voted against this proviso, also, and it failed. The bill was then put on its passage and the honorable member voted for it, and it passed and became a law.

Now it strikes me, sir, that there is no maintaining these votes, but upon the power of internal improvement, in its broadest sense. In truth, these bills for surveys and estimates have always been considered as test questions—they show who is for and who against internal improvement. This law itself went the whole length and assumed the full and complete power. The gentleman's votes sustained that power in every form in which the various propositions to amend presented it. He went for the entire and unrestrained authority without consulting the States, and without agreeing to any proportionate distribution. And now suffer me to remind you, Mr. President, that it is this very same power, thus sanctioned in every form by the gentleman's own opinion, that is so plain and manifest a usurpation that the State of South Carolina is supposed to be justified in refusing submission to any laws carrying the power into effect. Truly, sir, is not this a little too hard? May we not crave some mercy under favor and protection of the gentleman's own authority? Admitting that a road, or a canal, must be written down flat usurpation as was ever committed, may we find no mitigation in our respect for his place and his vote as one that knows the law?

The tariff, which South Carolina had an efficient hand in establishing, in 1816, and this asserted power of internal improvement, advanced by her in the same year, and, as we have seen, approved and sanctioned by her Representatives in 1824, these two measures are the great grounds on which she is now thought to be justified in breaking up the Union, if she sees fit to break it up!

I may now safely say, I think, that we have had the authority of leading and distinguished gentlemen from South Carolina, in support of the doctrine of internal im-

provement. I repeat that, up to 1824, I for one followed South Carolina; but, when that star, in its ascension, veered off, in an unexpected direction, I relied on its light no longer.

Here the Vice-President, Mr. Calhoun, said: "Does the chair understand the gentleman from Massachusetts to say that the person now occupying the chair of the Senate has changed his opinions on the subject of internal improvements?"

From nothing ever said to me, sir, have I had reason to know of any change in the opinions of the person filling the chair of the Senate. If such change has taken place, I regret it. I speak generally of the State of South Carolina. Individuals, we know there are, who hold opinions favorable to the power. An application for its exercise, in behalf of a public work in South Carolina itself, is now pending, I believe, in the other House, presented by members from that State.

I have thus, sir, perhaps not without some tediousness of detail, shown that if I am in error on the subject of internal improvement, how, and in what company, I fell into that error. If I am wrong, it is apparent who misled me.

I go to other remarks of the honorable member; and I have to complain of an entire misapprehension of what I said on the subject of the national debt, though I can hardly perceive how any one could misunderstand me. What I said was, not that I wished to put off the payment of the debt, but, on the contrary, that I had always voted for every measure for its reduction, as uniformly as the gentleman himself. He seems to claim the exclusive merit of a disposition to reduce the public charge. I do not allow it to him. As a debt, I was, I am for paying it, because it is

a charge on our finances and on the industry of the country. But I observed that I thought I perceived a morbid fervor on that subject—an excessive anxiety to pay off the debt, not so much because it is a debt simply, as because, while it lasts, it furnishes one objection to disunion. It is a tie of common interest, while it continues. I did not impute such motives to the honorable member himself; but that there is such a feeling in existence I have not a particle of doubt. The most I said was that if one effect of the debt was to strengthen our Union, that effect itself was not regretted by me, however much others might regret it. The gentleman has not seen how to reply to this otherwise than by supposing me to have advanced the doctrine that a national debt is a national blessing. Others, I must hope, will find much less difficulty in understanding me. I distinctly and pointedly cautioned the honorable member not to understand me as expressing an opinion favorable to the continuance of the debt. I repeated this caution, and repeated it more than once; but it was thrown away.

On yet another point I was still more unaccountably misunderstood. The gentleman had harangued against "consolidation." I told him, in reply, that there was one kind of consolidation to which I was attached, and that was the consolidation of our Union; and that this was precisely that consolidation to which I feared others were not attached. That such consolidation was the very end of the Constitution—the leading object, as they had informed us themselves, which its framers had kept in view. I turned to their communication, and read their very words—"the consolidation of the Union"—and expressed my devotion to this sort of consolidation. I said in terms, that I wished not, in the slightest degree, to augment the powers of this

government; that my object was to preserve, not to enlarge; and that by consolidating the Union, I understood no more than the strengthening of the Union, and perpetuating it. Having been thus explicit; having thus read from the printed book the precise words which I adopted, as expressing my own sentiments, it passes comprehension how any man could understand me as contending for an extension of the powers of the government, or for consolidation, in that odious sense in which it means an accumulation, in the Federal Government, of the powers properly belonging to the States.

I repeat, sir, that in adopting the sentiment of the framers of the Constitution, I read their language audibly, and word for word; and I pointed out the distinction just as fully as I have now done, between the consolidation of the Union and that other obnoxious consolidation which I disclaimed. And yet the honorable member misunderstood me. The gentleman had said that he wished for no fixed revenue—not a shilling. If, by a word, he could convert the Capitol into gold, he would not do it. Why all this fear of revenue? Why, sir, because, as the gentleman told us, it tends to consolidation. Now, this can mean neither more nor less than that a common revenue is a common interest, and that all common interests tend to hold the Union of the States together. I confess I like that tendency; if the gentleman dislikes it, he is right in deprecating a shilling's fixed revenue. So much, sir, for consolidation.

As well as I recollect the course of his remarks, the honorable gentleman next recurred to the subject of the tariff. He did not doubt the word must be of unpleasant sound to me, and proceeded with an effort, neither new,

nor attended with new success, to involve me and my votes in inconsistency and contradiction. I am happy the honorable gentleman has furnished me an opportunity for a timely remark or two on that subject. I was glad he approached it, for it is a question I enter upon without fear from anybody. The strenuous toil of the gentleman has been to raise an inconsistency between my dissent to the tariff in 1824 and my vote in 1828. It is labor lost. He pays undeserved compliment to my speech in 1824; but this is to raise me high, that my fall, as he would have it, in 1828, may be more signal. Sir, there was no fall at all. Between the ground I stood on in 1824, and that I took in 1828, there was not only no precipice, but no declivity. It was a change of position, to meet new circumstances, but on the same level. A plain tale explains the whole matter. In 1816, I had not acquiesced in the tariff, then supported by South Carolina. To some parts of it, especially, I felt and expressed great repugnance. I held the same opinions in 1821, at the meeting in Faneuil Hall, to which the gentleman has alluded. I said then, and say now, that, as an original question, the authority of Congress to exercise the revenue power, with direct reference to the protection of manufactures, is a questionable authority, far more questionable, in my judgment, than the power of internal improvements. I must confess, sir, that, in one respect, some impression has been made on my opinions lately. Mr. Madison's publication has put the power in a very strong light. He has placed it, I must acknowledge, upon grounds of construction and argument, which seem impregnable. But even if the power were doubtful, on the face of the Constitution itself, it had been assumed and asserted in the first revenue law ever passed under that

same Constitution; and, on this ground, as a matter settled by contemporaneous practice, I had refrained from expressing the opinion that the tariff laws transcended constitutional limits, as the gentleman supposes. What I did say at Faneuil Hall, as far as I now remember, was that this was originally matter of doubtful construction. The gentleman himself, I suppose, thinks there is no doubt about it and that the laws are plainly against the Constitution. Mr. Madison's letters, already referred to, contain, in my judgment, by far the most able exposition extant of this part of the Constitution. He has satisfied me, so far as the practice of the government had lēft it an open question.

With a great majority of the Representatives of Massachusetts, I voted against the tariff of 1824. My reasons were then given, and I will not now repeat them. But, notwithstanding our dissent, the great States of New York, Pennsylvania, Ohio, and Kentucky, went for the bill, in almost unbroken column, and it passed. Congress and the President sanctioned it, and it became the law of the land. What, then, were we to do? Our only option was, either to fall in with this settled course of public policy, and accommodate ourselves to it as well as we could, or to embrace the South Carolina doctrine, and talk of nullifying the statute by State interference.

This last alternative did not suit our principles, and, of course, we adopted the former. In 1827 the subject came again before Congress, on a proposition favorable to wool and woollens. We looked upon the system of protection as being fixed and settled. The law of 1824 remained. It had gone into full operation, and in regard to some objects intended by it, perhaps most of them, had produced all its expected effects. No man proposed to repeal it; no man at

tempted to renew the general contest on its principle. But, owing to subsequent and unforeseen occurrences, the benefit intended by it to wool and woollen fabrics had not been realized. Events, not known here when the law passed, had taken place, which defeated its object in that particular respect. A measure was accordingly brought forward to meet this precise deficiency; to remedy this particular defect. It was limited to wool and woollens. Was ever anything more reasonable? If the policy of the tariff laws had become established in principle, as the permanent policy of the government, should they not be revised and amended, and made equal, like other laws, as exigencies should arise, or justice require? Because we had doubted about adopting the system, were we to refuse to cure its manifest defects, after it became adopted, and when no one attempted its repeal? And this, sir, is the inconsistency so much bruited. I had voted against the tariff of 1824—but it passed; and in 1827 and 1828 I voted to amend it, in a point essential to the interest of my constituents. Where is the inconsistency? Could I do otherwise? Sir, does political consistency consist in always giving negative votes? Does it require of a public man to refuse to concur in amending laws, because they passed against his consent? Having voted against the tariff originally, does consistency demand that I should do all in my power to maintain an unequal tariff, burdensome to my own constituents, and, in many respects, favorable to none? To consistency of that sort I lay no claim. And there is another sort to which I lay as little—and that is a kind of consistency by which persons feel themselves as much bound to oppose a proposition, after it has become a law of the land, as before.

The bill of 1827, limited, as I have said, to the single object in which the tariff of 1824 had manifestly failed in its effect, passed the House of Representatives, but was lost here. We had then the Act of 1828. I need not recur to the history of a measure so recent. Its enemies spiced it with whatsoever they thought would render it distasteful; its friends took it, drugged as it was. Vast amounts of property, many millions, had been invested in manufactures, under the inducements of the Act of 1824. Events called loudly, as I thought, for further regulation to secure the degree of protection intended by that act. I was disposed to vote for such regulation, and desired nothing more; but certainly was not to be bantered out of my purpose by a threatened augmentation of duty on molasses, put into the bill for the avowed purpose of making it obnoxious. The vote may have been right or wrong, wise or unwise; but it is little less than absurd to allege against it an inconsistency with opposition to the former law.

Sir, as to the general subject of the tariff, I have little now to say. Another opportunity may be presented. I remarked the other day that this policy did not begin with us in New England; and yet, sir, New England is charged with vehemence as being favorable, or charged with equal vehemence as being unfavorable to the tariff policy, just as best suits the time, place, and occasion for making some charge against her. The credulity of the public has been put to its extreme capacity of false impression, relative to her conduct, in this particular. Through all the South, during the late contest, it was New England policy and a New England administration that was afflicting the country with a tariff beyond all endurance; while on the other side of the

Alleghany, even the Act of 1828 itself, the very sublimated essence of oppression, according to Southern opinions, was pronounced to be one of those blessings for which the West was indebted to the "generous South."

With large investments in manufacturing establishments, and many and various interests connected with and dependent upon them, it is not expected that New England, any more than other portions of the country, will now consent to any measure, destructive or highly dangerous. The duty of the government, at the present moment, would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and, for one, I shall feel it an indispensable obligation to hold it steady, as far as in my power, to that degree of protection which it has undertaken to bestow. No more of the tariff.

Professing to be provoked, by what he chose to consider a charge made by me against South Carolina, the honorable member, Mr. President, has taken up a new crusade against New England. Leaving altogether the subject of the public lands, in which his success, perhaps, had been neither distinguished nor satisfactory, and letting go, also, of the topic of the tariff, he sallied forth in a general assault on the opinions, politics, and parties of New England, as they have been exhibited in the last thirty years. This is natural. The "narrow policy" of the public lands had proved a legal settlement in South Carolina, and was not to be removed. The "accursed policy" of the tariff, also, had established the fact of its birth and parentage in the same State. No wonder, therefore, the gentleman wished to carry the war, as he expressed it, into the enemy's country. Prudently willing to quit these subjects, he was doubtless desirous of

fastening on others that which could not be transferred south of Mason and Dixon's Line. The politics of New England became his theme; and it was in this part of his speech, I think, that he menaced me with such sore discomfiture. Discomfiture! Why, sir, when he attacks anything which I maintain, and overthrows it; when he turns the right or left of any position which I take up; when he drives me from any ground I choose to occupy; he may then talk of discomfiture, but not till that distant day. What has he done? Has he maintained his own charges? Has he proved what he alleged? Has he sustained himself in his attack on the government, and on the history of the North, in the matter of the public lands? Has he disproved a fact, refuted a proposition, weakened an argument maintained by me? Has he come within beat of drum of any position of mine? Oh, no; but he has "carried the war into the enemy's country." Carried the war into the enemy's country! Yes, sir, and what sort of a war has he made of it? Why, sir, he has stretched a drag-net over the whole surface of perished pamphlets, indiscreet sermons, frothy paragraphs, and fuming popular addresses, over whatever the pulpit, in its moments of alarm, the press in its heats, and parties in their extravagance have severally thrown off in times of general excitement and violence. He has thus swept together a mass of such things as, but that they are now old and cold, the public health would have required him rather to leave in their state of dispersion. For a good long hour or two we had the unbroken pleasure of listening to the honorable member while he recited, with his usual grace and spirit, and with evident high gusto, speeches, pamphlets, addresses, and all the *et ceteras* of the political press, such as warm heads produce in warm times; and

such as it would be "discomfiture," indeed, for any one whose taste did not delight in that sort of reading to be obliged to peruse. This is his war. This is to carry the war into the enemy's country. It is in an invasion of this sort that he flatters himself with the expectation of gaining laurels fit to adorn a Senator's brow!

Mr. President, I shall not—it will, I trust, not be expected that I should—either now, or at any time, separate this farrago into parts, and answer and examine its components. I shall hardly bestow upon it all a general remark or two. In the run of forty years, sir, under this Constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the Constitution itself, and, in some form or other, has attended it through the greater part of its history. Whether any other Constitution than the old Articles of Confederation was desirable, was itself a question on which parties formed; if a new Constitution were framed, what powers should be given it, was another question; and when it had been formed what was, in fact, the just extent of the powers actually conferred, was a third. Parties, as we know, existed under the first administration, as distinctly marked as those which have manifested themselves at any subsequent period. The contest immediately preceding the political change in 1801, and that, again, which existed at the commencement of the late war, are other instances of party excitement of something more than usual strength and intensity. In all these conflicts there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the relative *quantum* of violence between these contending parties. There was enough in each, as must always be expected in popular

governments. With a great deal of proper and decorous discussion there was mingled a great deal also of declamation, virulence, crimination, and abuse. In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another equally inflamed exhibition as that with which the honorable member has edified us. For myself, sir, I shall not rake among the rubbish of bygone times to see what I can find, or whether I cannot find something by which I can fix a blot on the escutcheon of any State, any party, or any part of the country. General Washington's administration was steadily and zealously maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant, and persevering support in all his great and leading measures. We know where his private and personal characters were held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified. We know, or we might know, if we turned to the journals, who expressed respect, gratitude, and regret when he retired from the Chief Magistracy; and who refused to express their respect, gratitude, or regret. I shall not open those journals. Publications more abusive or scurrilous never saw the light than were sent forth against Washington and all his leading measures from presses south of New England. But I shall not look them up. I employ no scavengers; no one is in attendance on me, tendering such means of retaliation; and, if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times to be in no way anxious

to rescue from forgetfulness the extravagances of times past. Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions which, I have thought, tend to disunion, and all of which the honorable member seems to have adopted himself and undertaken to defend. New England has, at times, so argues the gentleman, held opinions as dangerous as those which he now holds. Suppose this were so, why should he, therefore, abuse New England? If he finds himself countenanced by acts of hers, how is it that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach? But, sir, if, in the course of forty years, there have been undue effervescences of party in New England, has the same thing happened nowhere else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a Federalist, but as a Tory, a British agent, a man who, in his high office, sanctioned corruption. But does the honorable member suppose that, if I had a tender here who should put such an effusion of wickedness and folly in my hand, that I would stand up and read it against the South? Parties ran into great heats again in 1799 and 1800. What was said, sir, or rather what was not said, in those years against John Adams, one of the signers of the Declaration of Independence, and its admitted ablest defender on the floor of Congress? If the gentleman wishes to increase his stores of party abuse and frothy violence; if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac, much to his taste, yet untouched—I shall not touch them.

The parties which divided the country at the commencement of the late war were violent. But, then, there was violence on both sides and violence in every State. Minorities and majorities were equally violent. There was no more violence against the war in New England than in other States; nor any more appearance of violence, except that, owing to a dense population, greater facility of assembling, and more presses, there may have been more in quantity spoken and printed there than in some other places. In the article of sermons, too, New England is somewhat more abundant than South Carolina; and for that reason the chance of finding here and there an exceptional one may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population; but it was no more unrestrained in its principle, or violent in manner. The minorities dealt quite as harshly with their own State governments as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, ay, and pulpits on both sides, also. The gentleman's purveyors have only catered for him among the productions of one side. I certainly shall not supply the deficiency by furnishing samples of the other. I leave to him and to them the whole concern.

It is enough for me to say that if, in any part of this their grateful occupation; if in all their researches they find anything in the history of Massachusetts, or New England, or in the proceedings of any legislative or other public body, disloyal to the Union, speaking slightly of its value, proposing to break it up, or recommending non-intercourse with neighboring States, on account of difference of political

opinion, then, sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting, however, that he will extend his buffetings in like manner to all similar proceedings, wherever else found.

The gentleman, sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to the origin and run out their genealogies. With most exemplary modesty he speaks of the party to which he professes to have belonged himself, as the true pure, the only honest, patriotic party, derived by regular descent from father to son from the time of the virtuous Romans! Spreading before us the family tree of political parties, he takes especial care to show himself snugly perched on a popular bough! He is wakeful to the expediency of adopting such rules of descent as shall bring him in, in exclusion of others, as an heir to the inheritance of all public virtue and all true political principle. His party and his opinions are sure to be orthodox; heterodoxy is confined to his opponents. He spoke, sir, of the Federalists, and I thought I saw some eyes begin to open and stare a little when he ventured on that ground. I expected he would draw his sketches rather lightly when he looked on the circle around him, and especially if he should cast his thoughts to the high places out of the Senate. Nevertheless, he went back to Rome, *ad annum urbe condita*, and found the fathers of the Federalists in the primeval aristocrats of that renowned empire! He traced the flow of Federal blood down through successive ages and centuries till he brought it into the veins of the American Tories (of whom, by the way, there were twenty in the Carolinas

for one in Massachusetts). From the Tories he followed it to the Federalists; and as the Federal party was broken up, and there was no possibility of transmitting it further on this side the Atlantic, he seems to have discovered that it has gone off, collaterally, though against all the canons of descent, into the Ultras of France, and finally become extinguished, like exploded gas, among the adherents of Don Miguel! This, sir, is an abstract of the gentleman's history of Federalism. I am not about to controvert it. It is not at present worth the pains of refutation; because, sir, if at this day any one feels the sin of Federalism lying heavily on his conscience, he can easily procure remission. He may even obtain an indulgence, if he be desirous of repeating the same transgression. It is an affair of no difficulty to get into the same right line of patriotic descent. A man nowadays is at liberty to choose his political parentage. He may elect his own father. Federalist or not, he may, if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove satisfactorily that he is descended from the same political great-grandfather. All this is allowable. We all know a process, sir, by which the whole Essex Junto could, in one hour, be all washed white from their ancient Federalism, and come out, every one of them, an original Democrat, dyed in the wool! Some of them have actually undergone the operation, and they say it is quite easy. The only inconvenience it occasions, as they tell us, is a slight tendency of the blood to the face, a soft suffusion, which, however, is very transient, since nothing is said by those whom they join calculated to deepen the red on the cheek,

but a prudent silence observed in regard to all the past. Indeed, sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen not a thousand miles from the door of the Hartford Convention itself. And if the author of the Ordinance of 1787 possessed the other requisite qualifications, there is no knowing, notwithstanding his Federalism, to what heights of favor he might not yet attain.

Mr. President, in carrying his warfare, such as it was, into New England, the honorable gentleman all along professes to be acting on the defensive. He elects to consider me as having assailed South Carolina, and insists that he comes forth only as her champion and in her defence. Sir, I do not admit that I made any attack whatever on South Carolina. Nothing like it. The honorable member in his first speech expressed opinions in regard to revenue, and some other topics, which I heard both with pain and with surprise. I told the gentleman I was aware that such sentiments were entertained out of the government, but had not expected to find them advanced in it; that I knew there were persons in the South who speak of our Union with indifference or doubt, taking pains to magnify its evils and to say nothing of its benefits; that the honorable member himself I was sure could never be one of these, and I regretted the expression of such opinions as he had avowed because I thought their obvious tendency was to encourage feelings of disrespect to the Union, and to weaken its connection. This, sir, is the sum and substance of all I said on the subject. And this constitutes the attack which called on the chivalry of the gentleman, in his own opinion, to harry us with such a foray among the party pamphlets and party proceedings of Massachusetts! If he means that I

spoke with dissatisfaction or disrespect of the ebullitions of individuals in South Carolina, it is true. But if he means that I had assailed the character of the State, her honor or patriotism; that I had reflected on her history or her conduct, he had not the slightest ground for any such assumption. I did not even refer, I think, in my observations, to any collection of individuals. I said nothing of the recent conventions. I spoke in the most guarded and careful manner, and only expressed my regret for the publication of opinions which I presumed the honorable member disapproved as much as myself. In this, it seems, I was mistaken. I do not remember that the gentleman has disclaimed any sentiment or any opinion of a supposed anti-Union tendency, which on all or any of the recent occasions has been expressed. The whole drift of his speech has been rather to prove that in divers times and manners sentiments equally liable to my objection have been promulgated in New England. And one would suppose that his object in this reference to Massachusetts was to find a precedent to justify proceedings in the South were it not for the reproach and contumely with which he labors all along to load these, his own chosen precedents. By way of defending South Carolina from what he chooses to think an attack on her, he first quotes the example of Massachusetts, and then denounces that example in good set terms. This two-fold purpose, not very consistent with itself, one would think was exhibited more than once in the course of his speech. He referred, for instance, to the Hartford Convention. Did he do this for authority or for a topic of reproach? Apparently for both; for he told us that he should find no fault with the mere fact of holding such a convention and considering and discussing such questions as he

supposes were then and there discussed; but what rendered it obnoxious was the time it was holden and the circumstances of the country then existing. We were in a war, he said, and the country needed all our aid—the hand of government required to be strengthened, not weakened—and patriotism should have postponed such proceedings to another day. The thing itself, then, is a precedent, the time and manner of it only a subject of censure. Now, sir, I go much further on this point than the honorable member. Supposing, as the gentleman seems to, that the Hartford Convention assembled for any such purpose as breaking up the Union because they thought unconstitutional laws had been passed, or to consult on that subject, or to calculate the value of the Union—supposing this to be their purpose or any part of it, then, I say, the meeting itself was disloyal, and was obnoxious to censure, whether held in time of peace or time of war, or under whatever circumstances. The material question is the object. Is dissolution the object? If it be, external circumstances may make it a more or less aggravated case, but cannot affect the principle. I do not hold, therefore, sir, that the Hartford Convention was pardonable, even to the extent of the gentleman's admission, if its objects were really such as have been imputed to it. Sir, there never was a time under any degree of excitement in which the Hartford Convention, or any other convention, could maintain itself one moment in New England if assembled for any such purpose as the gentleman says would have been an allowable purpose. To hold conventions to decide constitutional law!—to try the binding validity of statutes by votes in a convention! Sir, the Hartford Convention, I presume, would not desire that the honorable gentleman should be their defender or advocate

if he puts their case upon such untenable and extravagant grounds.

Then, sir, the gentleman has no fault to find with these recently promulgated South Carolina opinions. And, certainly, he need have none; for his own sentiments as now advanced, and advanced on reflection as far as I have been able to comprehend them, go the full length of all these opinions. I propose, sir, to say something on these, and to consider how far they are just and constitutional. Before doing that, however, let me observe that the eulogium pronounced on the character of the State of South Carolina by the honorable gentleman for her revolutionary and other merits meets my hearty concurrence. I shall not acknowledge that the honorable member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina has produced. I claim part of the honor—I partake in the pride of her great names. I claim them for countrymen, one and all. The Laurenses, the Rutledges, the Pinckneys, the Sumters, the Marions—Americans all—whose fame is no more to be hemmed in by State lines than their talents and patriotism were capable of being circumscribed within the same narrow limits. In their day and generation they served and honored the country and the whole country; and their renown is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he esteem me less capable of gratitude for his patriotism or sympathy for his sufferings than if his eyes had first opened upon the light of Massachusetts instead of South Carolina? Sir, does he suppose it in his power to exhibit a Carolina name so bright as to produce envy in my bosom? No, sir, increased gratification and delight, rather. I thank God that if I am gifted

with little of the spirit which is able to raise mortals to the skies, I have yet none, as I trust, of that other spirit which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit because it happens to spring up beyond the little limits of my own State or neighborhood; when I refuse for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or, if I see an uncommon endowment of heaven—if I see extraordinary capacity and virtue in any son of the South—and if, moved by local prejudice, or gangrened by State jealousy, I get up here to abate the tithe of a hair from his just character and just fame, may my tongue cleave to the roof of my mouth!

Sir, let me recur to pleasing recollections—let me indulge in refreshing remembrances of the past—let me remind you that in early times no States cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return! Shoulder to shoulder they went through the Revolution—hand in hand they stood round the administration of Washington and felt his own great arm lean on them for support. Unkind feeling, if it exist, alienation and distrust, are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history; the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill—and there they will remain forever. The bones of her sons,

falling in the great struggle for independence, now lie mingled with the soil of every State, from New England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice; and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood and full of its original spirit. If discord and disunion shall wound it—if party strife and blind ambition shall hawk at and tear it—if folly and madness—if uneasiness, under salutary and necessary restraint shall succeed to separate it from that union by which alone its existence is made sure, it will stand, in the end, by the side of that cradle in which its infancy was rocked; it will stretch forth its arm with whatever of vigor it may still retain, over the friends who gather round it; and it will fall at last, if fall it must, amid the proudest monuments of its own glory, and on the very spot of its origin.

There yet remains to be performed, Mr. President, by far the most grave and important duty, which I feel to be devolved on me by this occasion. It is to state and to defend what I conceive to be the true principles of the Constitution under which we are here assembled. I might well have desired that so weighty a task should have fallen into other and abler hands. I could have wished that it should have been executed by those whose character and experience give weight and influence to their opinions, such as cannot possibly belong to mine. But, sir, I have met the occasion, not sought it; and I shall proceed to state my own sentiments, without challenging for them any particular regard, with studied plainness and as much precision as possible.

I understand the honorable gentleman from South Carolina to maintain that it is a right of the State Legislatures to interfere, whenever, in their judgment, this government

transcends its constitutional limits, and to arrest the operation of its laws.

I understand him to maintain this right; as a right existing under the Constitution, not as a right to overthrow it on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the States, thus to interfere, for the purpose of correcting the exercise of power by the general government, of checking it and of compelling it to conform to their opinion of the extent of its powers.

I understand him to maintain that the ultimate power of judging of the constitutional extent of its own authority is not lodged exclusively in the general government or any branch of it; but that, on the contrary, the States may lawfully decide for themselves, and each State for itself, whether in a given case the act of the general government transcends its power.

I understand him to insist that if the exigency of the case, in the opinion of any State government, requires it, such State government may, by its own sovereign authority, annul an act of the general government which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South Carolina doctrine, and the doctrine which he maintains. I propose to consider it and compare it with the Constitution. Allow me to say as a preliminary remark that I call this the South Carolina doctrine only because the gentleman himself has so denominated it. I do not feel at liberty to say that South Carolina, as a State, has ever advanced these sentiments. I hope she has not and never may. That a great majority of her people are opposed to

the tariff laws is doubtless true. That a majority somewhat less than that just mentioned conscientiously believe these laws unconstitutional may probably also be true. But that any majority holds to the right of direct State interference at State discretion, the right of nullifying acts of Congress by acts of State legislation, is more than I know and what I shall be slow to believe.

That there are individuals besides the honorable gentleman who do maintain these opinions is quite certain. I recollect the recent expression of a sentiment, which circumstances attending its utterance and publication justify us in supposing was not unpremeditated. "The sovereignty of the State—never to be controlled, construed, or decided on, but by her own feelings of honorable justice."

Mr. Hayne here rose and said that for the purpose of being clearly understood he would state that his proposition was in the words of the Virginia Resolution as follows:

"That this assembly doth explicitly and peremptorily declare that it views the powers of the Federal Government as resulting from the compact to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that, in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto have the right and are in duty bound to interpose, for arresting the progress of the evil and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them."

I am quite aware, Mr. President, of the existence of the resolution which the gentleman read and has now repeated, and that he relies on it as his authority. I know the source, too, from which it is understood to have proceeded. I need

not say that I have much respect for the constitutional opinions of Mr. Madison; they would weigh greatly with me always. But, before the authority of his opinion be vouched for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly he may not have adopted the right construction. That resolution declares that in the case of the dangerous exercise of powers not granted by the general government, the States may interpose to arrest the progress of the evil. But how interpose, and what does this declaration purport? Does it mean no more than that there may be extreme cases in which the people in any mode of assembling may resist usurpation and relieve themselves from a tyrannical government? No one will deny this. Such resistance is not only acknowledged to be just in America, but in England also. Blackstone admits as much in the theory and practice, too, of the English Constitution. We, sir, who oppose the Carolina doctrine do not deny that the people may, if they choose, throw off any government when it becomes oppressive and intolerable, and erect a better in its stead. We all know that civil institutions are established for the public benefit and that when they cease to answer the ends of their existence they may be changed. But I do not understand the doctrine now contended for to be that which, for the sake of distinctness, we may call the right of revolution. I understand the gentleman to maintain that, without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the general government lies in a direct appeal to the interference of the State governments.

Mr. Hayne here rose. He did not contend, he said, for the mere right of revolution, but for the right of constitutional resistance. What he maintained was that, in case of a plain, palpable violation of the Constitution by the general government, a State may interpose, and that this interposition is constitutional.

So, sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for is that it is constitutional to interrupt the administration of the Constitution itself in the hands of those who are chosen and sworn to administer it, by the direct interference in form of law of the States in virtue of their sovereign capacity. The inherent right in the people to reform their government I do not deny; and they have another right, and that is to resist unconstitutional laws without overturning the government. It is no doctrine of mine that unconstitutional laws bind the people. The great question is: Whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws? On that the main debate hinges. The proposition that, in case of a supposed violation of the Constitution by Congress, the States have a constitutional right to interfere and annul the law of Congress, is the proposition of the gentleman: I do not admit it. If the gentleman had intended no more than to assert the right of revolution for justifiable cause, he would have said only what all agree to. But I cannot conceive that there can be a middle course between submission to the laws, when regularly pronounced constitutional, on the one hand, and open resistance, which is revolution or rebellion, on the other. I say the right of a State to annul a law of Congress cannot be maintained but on the ground of the inalienable right of man to resist oppression; that is to

say, upon the ground of revolution. I admit that there is an ultimate violent remedy above the Constitution and in defiance of the Constitution, which may be resorted to when a revolution is to be justified. But I do not admit that under the Constitution, and in conformity with it, there is any mode in which a State government, as a member of the Union, can interfere and stop the progress of the general government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this government and the source of its power. Whose agent is it? Is it the creature of the State Legislatures, or the creature of the people? If the government of the United States be the agent of the State governments, then they may control it, provided they can agree in the manner of controlling it; if it be the agent of the people, then the people alone can control it, restrain it, modify, or reform it. It is observable enough that the doctrine for which the honorable gentleman contends leads him to the necessity of maintaining, not only that this general government is the creature of the States, but that it is the creature of each of the States severally; so that each may assert the power for itself of determining whether it acts within the limits of its authority. It is the servant of four and twenty masters, of different wills and different purposes, and yet bound to obey all. This absurdity (for it seems no less) arises from a misconception as to the origin of this government and its true character. It is, sir, the people's Constitution, the people's government; made for the people, made by the people, and answerable to the people. The people of the United States have declared that this Constitution shall be the supreme law. We must either admit the proposition, or dispute

their authority. The States are, unquestionably, sovereign, so far as their sovereignty is not affected by this supreme law. But the State Legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the general government, so far the grant is unquestionably good, and the government holds of the people, and not of the State governments. We are all agents of the same supreme power, the people. The general government and the State governments derive their authority from the same source. Neither can, in relation to the other, be called primary, though one is definite and restricted and the other general and residuary. The national government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belong to the State governments or to the people themselves. So far as the people have restrained State sovereignty, by the expression of their will, in the Constitution of the United States, so far, it must be admitted, State sovereignty is effectually controlled. I do not contend that it is, or ought to be, controlled further. The sentiment to which I have referred propounds that State sovereignty is only to be controlled by its own "feeling of justice"; that is to say, it is not to be controlled at all; for one who is to follow his own feelings is under no legal control. Now, however men may think this ought to be, the fact is that the people of the United States have chosen to impose control on State sovereignties. There are those, doubtless, who wish they had been left without restraint; but the Constitution has ordered the matter differently. To make war, for instance, is an exercise of sovereignty; but the Constitution declares that no State shall make war. To coin money is another

exercise of sovereign power; but no State is at liberty to coin money. Again, the Constitution says that no sovereign State shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the State sovereignty of South Carolina, as well as of the other States, which does not arise "from her own feelings of honorable justice." Such an opinion, therefore, is in defiance of the plainest provisions of the Constitution.

There are other proceedings of public bodies which have already been alluded to, and to which I refer again for the purpose of ascertaining more fully what is the length and breadth of that doctrine, denominated the Carolina doctrine, which the honorable member has now stood upon this floor to maintain. In one of them I find it resolved that "the tariff of 1828, and every other tariff designed to promote one branch of industry at the expense of others, is contrary to the meaning and intention of the Federal compact; and is such a dangerous, palpable and deliberate usurpation of power, by a determined majority, wielding the general government beyond the limits of its delegated powers, as calls upon the States which compose the suffering minority, in their sovereign capacity, to exercise the powers which, as sovereigns, necessarily devolve upon them when their compact is violated."

Observe, sir, that this resolution holds the tariff of 1828, and every other tariff, designed to promote one branch of industry at the expense of another, to be such a dangerous, palpable and deliberate usurpation of power, as calls upon the States, in their sovereign capacity, to interfere by their own authority. This denunciation, Mr. President, you will please to observe, includes our old tariff of 1816, as well as all others; because that was established to promote the in-

terest of the manufactures of cotton, to the manifest and admitted injury of the Calcutta cotton trade. Observe, again, that all the qualifications are here rehearsed and charged upon the tariff, which are necessary to bring the case within the gentleman's proposition. The tariff is a usurpation; it is a dangerous usurpation; it is a palpable usurpation; it is a deliberate usurpation. It is such a usurpation, therefore, as calls upon the States to exercise their right of interference. Here is a case, then, within the gentleman's principles, and all his qualifications of his principles. It is a case for action. The Constitution is plainly, dangerously, palpably and deliberately violated; and the States must interpose their own authority to arrest the law. Let us suppose the State of South Carolina to express this same opinion by the voice of her Legislature. That would be very imposing; but what then? Is the voice of one State conclusive? It so happens that at the very moment when South Carolina resolves that the tariff laws are unconstitutional, Pennsylvania and Kentucky resolve exactly the reverse. They hold those laws to be both highly proper and strictly constitutional. And now, sir, how does the honorable member propose to deal with this case? How does he relieve us from this difficulty upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina the tariff is a palpable, deliberate usurpation; Carolina, therefore, may nullify it, and refuse to pay the duties. In Pennsylvania it is both clearly constitutional and highly expedient; and there the duties are to be paid. And yet we live under a government of uniform laws, and under a Constitution, too, which contains an express provision, as it happens, that all duties

shall be equal in all the States. Does not this approach absurdity?

If there be no power to settle such questions, independent of either of the States, is not the whole Union a rope of sand? Are we not thrown back again precisely upon the old confederation?

It is too plain to be argued. Four-and-twenty interpreters of constitutional law, each with a power to decide for itself, and none with authority to bind anybody else, and this constitutional law the only bond of their union! What is such a state of things but a mere connection during pleasure, or, to use the phraseology of the times, during feeling? And that feeling, too, not the feeling of the people, who established the Constitution, but the feeling of the State governments.

In another of the South Carolina addresses, having premised that the crisis requires "all the concentrated energy of passion," an attitude of open resistance to the laws of the Union is advised. Open resistance to the laws, then, is the constitutional remedy, the conservative power of the State, which the South Carolina doctrines teach for the redress of political evils, real or imaginary. And its authors further say that, appealing with confidence to the Constitution itself to justify their opinions, they cannot consent to try their accuracy by the courts of justice. In one sense, indeed, sir, this is assuming an attitude of open resistance in favor of liberty. But what sort of liberty? The liberty of establishing their own opinions, in defiance of the opinions of all others; the liberty of judging and of deciding exclusively themselves, in a matter in which others have as much right to judge and decide as they; the liberty of placing their own opinions above the

judgment of all others, above the laws, and above the Constitution. This is their liberty, and this is the fair result of the proposition contended for by the honorable gentleman. Or it may be more properly said, it is identical with it, rather than a result from it.

In the same publication we find the following:

"Previously to our Revolution, when the arm of oppression was stretched over New England, where did our Northern brethren meet with a braver sympathy than that which sprang from the bosoms of Carolinians? We had no extortion, no oppression, no collision with the king's ministers, no navigation interests springing up in envious rivalry of England."

This seems extraordinary language. South Carolina no collision with the king's ministers in 1775! No extortion! No oppression! But, sir, it is also most significant language. Does any man doubt the purpose for which it was penned? Can any one fail to see that it was designed to raise in the reader's mind the question whether, at this time—that is to say, in 1828—South Carolina has any collision with the king's ministers, any oppression, or extortion to fear from England? Whether, in short, England is not as naturally the friend of South Carolina, as New England with her navigation interests springing up in envious rivalry of England?

Is it not strange, sir, that an intelligent man in South Carolina in 1828 should thus labor to prove that in 1775 there was no hostility, no cause of war between South Carolina and England? That she had no occasion in reference to her own interest, or from a regard to her own welfare, to take up arms in the Revolutionary contest? Can any one account for the expression of such

strange sentiments and their circulation through the State, otherwise than by supposing the object to be what I have already intimated, to raise the question if they had no "collision" (mark the expression) with the ministers of King George III., in 1775, what collision have they in 1828 with the ministers of King George IV.? What is there now in the existing state of things to separate Carolina from Old more, or rather, than from New England?

Resolutions, sir, have been recently passed by the Legislature of South Carolina. I need not refer to them; they go no further than the honorable gentleman himself has gone—and I hope not so far. I content myself, therefore, with debating the matter with him.

And now, sir, what I have first to say on this subject is that at no time and under no circumstances has New England or any State in New England, or any respectable body of persons in New England, or any public man of standing in New England, put forth such a doctrine as this Carolina doctrine.

The gentleman has found no case, he can find none, to support his own opinions by New England authority. New England has studied the Constitution in other schools and under other teachers. She looks upon it with other regards, and deems more highly and reverently both of its just authority and its utility and excellence. The history of her legislative proceedings may be traced—the ephemeral effusions of temporary bodies, called together by the excitement of the occasion, may be hunted up—they have been hunted up. The opinions and votes of her public men, in and out of Congress, may be explored—it will all be in vain. The Carolina doctrine can derive from her neither countenance nor support. She rejects it now; she always

did reject it; and till she loses her senses, she always will reject it. The honorable member has referred to expressions on the subject of the Embargo law made in this place by an honorable and venerable gentleman [Mr. Hillhouse] now favoring us with his presence. He quotes that distinguished Senator as saying that, in his judgment, the Embargo law was unconstitutional, and that, therefore, in his opinion the people were not bound to obey it. That, sir, is perfectly constitutional language. An unconstitutional law is not binding; but then it does not rest with a resolution or a law of a State Legislature to decide whether an act of Congress be or be not constitutional. An unconstitutional act of Congress would not bind the people of this district, although they have no Legislature to interfere in their behalf; and, on the other hand, a constitutional law of Congress does bind the citizens of every State, although all their Legislatures should undertake to annul it by act or resolution. The venerable Connecticut Senator is a constitutional lawyer of sound principles and enlarged knowledge; a statesman practiced and experienced, bred in the company of Washington, and holding just views upon the nature of our governments. He believed the Embargo unconstitutional, and so did others; but what then? Who did he suppose was to decide that question? The State Legislatures? Certainly not. No such sentiment ever escaped his lips. Let us follow up, sir, this New England opposition to the Embargo laws; let us trace it till we discern the principle which controlled and governed New England throughout the whole course of that opposition. We shall then see what similarity there is between the New England school of constitutional opinions and this modern Carolina school.

The gentleman, I think, read a petition from some single individual, addressed to the Legislature of Massachusetts, asserting the Carolina doctrine—that is, the right of State interference to arrest the laws of the Union. The fate of that petition shows the sentiment of the Legislature. It met no favor. The opinions of Massachusetts were otherwise. They had been expressed in 1798 in answer to the resolutions of Virginia, and she did not depart from them, nor bend them to the times. Misgoverned, wronged, oppressed as she felt herself to be, she still held fast her integrity to the Union. The gentleman may find in her proceedings much evidence of dissatisfaction with the measures of government, and great and deep dislike to the Embargo; all this makes the case so much the stronger for her; for notwithstanding all this dissatisfaction and dislike, she claimed no right, still, to sever asunder the bonds of the Union. There was heat and there was anger in her political feeling. Be it so! Her heat or her anger did not, nevertheless, betray her into infidelity to the government. The gentleman labors to prove that she disliked the Embargo as much as South Carolina dislikes the tariff, and expressed her dislike as strongly. Be it so; but did she propose the Carolina remedy?—did she threaten to interfere, by State authority, to annul the laws of the Union? That is the question for the gentleman's consideration.

No doubt, sir, a great majority of the people of New England conscientiously believed the Embargo law of 1807 unconstitutional; as conscientiously, certainly, as the people of South Carolina hold that opinion of the tariff. They reasoned thus: Congress has power to regulate commerce; but here is a law, they said, stopping all commerce, and stopping it indefinitely. The law is perpetual; that is, it

is not limited in point of time, and must, of course, continue until it shall be repealed by some other law. It is as perpetual, therefore, as the law against treason or murder. Now, is this regulating commerce or destroying it? Is it guiding, controlling, giving the rule to commerce, as a subsisting thing; or is it putting an end to it altogether? Nothing is more certain than that a majority in New England deemed this law a violation of the Constitution. The very case required by the gentleman to justify State interference had then arisen. Massachusetts believed this law to be "a deliberate, palpable, and dangerous exercise of a power not granted by the Constitution." Deliberate it was, for it was long continued; palpable she thought it, as no words in the Constitution gave the power, and only a construction, in her opinion most violent, raised it; dangerous it was, since it threatened utter ruin to her most important interests. Here, then, was a Carolina case. How did Massachusetts deal with it? It was, as she thought, a plain, manifest, palpable violation of the Constitution, and it brought ruin to her doors. Thousands of families, and hundreds of thousands of individuals were beggared by it. While she saw and felt all this, she saw and felt also that, as a measure of national policy, it was perfectly futile; that the country was no way benefited by that which caused so much individual distress; that it was efficient only for the production of evil, and all that evil inflicted on ourselves. In such a case, under such circumstances, how did Massachusetts demean herself? Sir, she remonstrated, she memorialized, she addressed herself to the general government, not exactly "with the concentrated energy of passion," but with her own strong sense and the energy of sober conviction. But she did not interpose the arm of her

own power to arrest the law and break the Embargo. Far from it. Her principles bound her to two things; and she followed her principles, lead where they might. First, to submit to every constitutional law of Congress, and, secondly, if the constitutional validity of the law be doubted, to refer that question to the decision of the proper tribunals. The first principle is vain and ineffectual without the second. A majority of us in New England believed the Embargo law unconstitutional; but the great question was, and always will be, in such cases: Who is to decide this? Who is to judge between the people and the government? And, sir, it is quite plain that the Constitution of the United States confers on the government itself, to be exercised by its appropriate department, and under its own responsibility to the people, this power of deciding ultimately and conclusively upon the just extent of its own authority. If this had not been done, we should not have advanced a single step beyond the old Confederation.

Being fully of opinion that the Embargo law was unconstitutional, the people of New England were yet equally clear in the opinion—it was a matter they did not doubt upon—that the question, after all, must be decided by the judicial tribunals of the United States. Before those tribunals, therefore, they brought the question. Under the provisions of the law they had given bonds to millions in amount, and which were alleged to be forfeited. They suffered the bonds to be sued, and thus raised the question. In the old-fashioned way of settling disputes, they went to law. The case came to hearing and solemn argument; and he who espoused their cause and stood up for them against the validity of the Embargo Act was none other than that great man of whom the gentleman has made honorable men-

tion, Samuel Dexter. He was then, sir, in the fulness of his knowledge and the maturity of his strength. He had retired from long and distinguished public service here, to the renewed pursuit of professional duties, carrying with him all that enlargement and expansion, all the new strength and force, which an acquaintance with the more general subjects discussed in the national councils is capable of adding to professional attainment in a mind of true greatness and comprehension. He was a lawyer and he was also a statesman. He had studied the Constitution, when he filled public station, that he might defend it; he had examined its principles that he might maintain them. More than all men, or at least as much as any man, he was attached to the general government and to the union of the States. His feelings and opinions all ran in that direction. A question of constitutional law, too, was, of all subjects, that one which was best suited to his talents and learning. Aloof from technicality, and unfettered by artificial rule, such a question gave opportunity for that deep and clear analysis, that mighty grasp of principle, which so much distinguished his higher efforts. His very statement was argument; his inference seemed demonstration. The earnestness of his own conviction wrought conviction in others. One was convinced, and believed, and assented, because it was gratifying, delightful, to think and feel and believe in unison with an intellect of such evident superiority.

Mr. Dexter, sir, such as I have described him, argued the New England cause. He put into his effort his whole heart, as well as all the powers of his understanding; for he had avowed, in the most public manner, his entire concurrence with his neighbors on the point in dispute. He argued the cause; it was lost, and New England submitted.

The established tribunals pronounced the law constitutional, and New England acquiesced. Now, sir, is not this the exact opposite of the doctrine of the gentleman from South Carolina? According to him, instead of referring to the judicial tribunals, we should have broken up the Embargo by laws of our own; we should have repealed it *quoad* New England; for we had a strong, palpable, and oppressive case. Sir, we believed the Embargo unconstitutional; but still that was matter of opinion, and who was to decide it? We thought it a clear case; but, nevertheless, we did not take the law into our own hands because we did not wish to bring about a revolution, nor to break up the Union; for I maintain that, between submission to the decision of the constituted tribunals and revolution, or disunion, there is no middle ground—there is no ambiguous condition, half allegiance and half rebellion. And, sir, how futile, how very futile it is to admit the right of State interference, and then attempt to save it from the character of unlawful resistance by adding terms of qualification to the causes and occasions, leaving all these qualifications, like the case itself, in the discretion of the State governments. It must be a clear case, it is said, a deliberate case; a palpable case; a dangerous case. But then the State is still left at liberty to decide for herself what is clear, what is deliberate, what is palpable, what is dangerous. Do adjectives and epithets avail anything? Sir, the human mind is so constituted that the merits of both sides of a controversy appear very clear and very palpable to those who respectively espouse them; and both sides usually grow clearer as the controversy advances. South Carolina sees unconstitutionality in the tariff; she sees oppression there also; and she sees danger. Pennsylvania, with a vision not less sharp, looks at the same

tariff, and sees no such thing in it—she sees it all constitutional, all useful, all safe. The faith of South Carolina is strengthened by opposition, and she now not only sees, but resolves, that the tariff is palpably unconstitutional, oppressive, and dangerous; but Pennsylvania, not to be behind her neighbors, and equally willing to strengthen her own faith by a confident asseveration, resolves, also, and gives to every warm affirmative of South Carolina a plain, downright Pennsylvania negative. South Carolina, to show the strength and unity of her opinion, brings her assembly to a unanimity within seven voices; Pennsylvania, not to be outdone in this respect more than others, reduces her dissentient fraction to a single vote. Now, sir, again I ask the gentleman what is to be done? Are these States both right? Is he bound to consider them both right? If not, which is in the wrong? or rather, which has the best right to decide? And if he and if I are not to know what the Constitution means and what it is till those two State Legislatures and the twenty-two others shall agree in its construction, what have we sworn to when we have sworn to maintain it? I was forcibly struck, sir, with one reflection as the gentleman went on in his speech. He quoted Mr. Madison's resolutions, to prove that a State may interfere, in a case of deliberate, palpable, and dangerous exercise of a power not granted. The honorable member supposes the tariff law to be such an exercise of power; and that, consequently, a case has arisen in which the State may, if it see fit, interfere by its own law. Now it so happens, nevertheless, that Mr. Madison deems this same tariff law quite constitutional. Instead of a clear and palpable violation, it is, in his judgment, no violation at all. So that, while they use his authority for a hypothetical case, they reject

it in the very case before them. All this, sir, shows the inherent futility—I had almost used a stronger word—of conceding this power of interference to the States, and then attempting to secure it from abuse by imposing qualifications, of which the States themselves are to judge. One of two things is true: either the laws of the Union are beyond the discretion and beyond the control of the States, or else we have no Constitution of general government, and are thrust back again to the days of the Confederacy.

Let me here say, sir, that if the gentleman's doctrine had been received and acted upon in New England, in the times of the Embargo and Non-intercourse, we should probably not now have been here. The government would very likely have gone to pieces, and crumbled into dust. No stronger case can ever arise than existed under those laws; no States can ever entertain a clearer conviction than the New England States then entertained; and if they had been under the influence of that heresy of opinion, as I must call it, which the honorable member espouses, this Union would, in all probability, have been scattered to the four winds. I ask the gentleman, therefore, to apply his principles to that case; I ask him to come forth and declare whether, in his opinion, the New England States would have been justified in interfering to break up the Embargo system under the conscientious opinions which they held upon it? Had they a right to annul that law? Does he admit, or deny? If that which is thought palpably unconstitutional in South Carolina justifies that State in arresting the progress of the law, tell me whether that which was thought palpably unconstitutional also in Massachusetts would have justified her in doing the same thing? Sir, I deny the whole doctrine. It has not a foot of ground in the Constitution to stand on.

No public man of reputation ever advanced it in Massachusetts, in the warmest times, or could maintain himself upon it there at any time.

I wish now, sir, to make a remark upon the Virginia Resolutions of 1798. I cannot undertake to say how these resolutions were understood by those who passed them. Their language is not a little indefinite. In the case of the exercise by Congress of a dangerous power not granted to them, the resolutions assert the right, on the part of the State, to interfere and arrest the progress of the evil. This is susceptible of more than one interpretation. It may mean no more than that the States may interfere by complaint and remonstrance, or by proposing to the people an alteration of the Federal Constitution. This would all be quite unobjectionable; or, it may be, that no more is meant than to assert the general right of revolution, as against all governments, in cases of intolerable oppression. This no one doubts; and this, in my opinion, is all that he who framed the resolutions could have meant by it; for I shall not readily believe that he was ever of opinion that a State, under the Constitution, and in conformity with it, could, upon the ground of her own opinion of its unconstitutionality, however clear and palpable she might think the case, annul a law of Congress, so far as it should operate on herself, by her own legislative power.

I must now beg to ask, sir, whence is this supposed right of the States derived?—where do they find the power to interfere with the laws of the Union? Sir, the opinion which the honorable gentleman maintains is a notion, founded in a total misapprehension, in my judgment, of the origin of this government and of the foundation on which it stands. I hold it to be a popular government, erected by the people;

those who administer it, responsible to the people; and itself capable of being amended and modified, just as the people may choose it should be. It is as popular, just as truly emanating from the people, as the State governments. It is created for one purpose; the State governments for another. It has its own powers; they have theirs. There is no more authority with them to arrest the operation of a law of Congress than with Congress to arrest the operation of their laws. We are here to administer a Constitution emanating immediately from the people, and trusted by them to our administration. It is not the creature of the State governments. It is of no moment to the argument, that certain acts of the State Legislatures are necessary to fill our seats in this body. That is not one of their original State powers, a part of the sovereignty of the State. It is a duty which the people, by the Constitution itself, have imposed on the State Legislatures, and which they might have left to be performed elsewhere, if they had seen fit. So they have left the choice of President with electors; but all this does not affect the proposition, that this whole government, President, Senate and House of Representatives, is a popular government. It leaves it still all its popular character. The governor of a State (in some of the States) is chosen, not directly by the people, but by those who are chosen by the people, for the purpose of performing, among other duties, that of electing a governor. Is the government of the State, on that account, not a popular government? This government, sir, is the independent offspring of the popular will. It is not the creature of State Legislatures; nay, more, if the whole truth must be told, the people brought it into existence, established it, and have hitherto supported it, for the very purpose, among others, of imposing certain

salutary restraints on State sovereignties. The States cannot now make war; they cannot contract alliances; they cannot make, each for itself, separate regulations of commerce; they cannot lay imposts; they cannot coin money. If this Constitution, sir, be the creature of State Legislatures, it must be admitted that it has obtained a strange control over the volitions of its creators.

The people, then, sir, erected this government. They gave it a Constitution, and in that Constitution they have enumerated the powers which they bestow on it. They have made it a limited government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the States or the people. But, sir, they have not stopped here. If they had, they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt; no limitation so precise as to exclude all uncertainty. Who, then, shall construe this grant of the people? Who shall interpret their will, where it may be supposed they have left it doubtful? With whom do they repose this ultimate right of deciding on the powers of the government? Sir, they have settled all this in the fullest manner. They have left it with the government itself, in its appropriate branches. Sir, the very chief end, the main design, for which the whole Constitution was framed and adopted, was to establish a government that should not be obliged to act through State agency, or depend on State opinion and State discretion. The people had had quite enough of that kind of government under the Confederacy. Under that system the legal action—the application of law to individuals—belonged exclusively to the States. Congress could only recommend—their acts

were not of binding force till the States had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of State discretion and State construction? Sir, if we are, then vain will be our attempt to maintain the Constitution under which we sit.

But, sir, the people have wisely provided, in the Constitution itself, a proper suitable mode and tribunal for settling questions of constitutional law. There are, in the Constitution, grants of powers to Congress, and restrictions on these powers. There are also prohibitions on the States. Some authority must therefore necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions, and prohibitions. The Constitution has itself pointed out, ordained, and established that authority. How has it accomplished this great and essential end? By declaring, sir, that "the Constitution and the laws of the United States, made in pursuance thereof, shall be the supreme law of the land, anything in the Constitution or laws of any State to the contrary notwithstanding."

This, sir, was the first great step. By this the supremacy of the Constitution and laws of the United States is declared. The people so will it. No State law is to be valid, which comes in conflict with the Constitution, or any law of the United States passed in pursuance of it. But who shall decide this question of interference? To whom lies the last appeal? This, sir, the Constitution itself decides also by declaring "that the judicial power shall extend to all cases arising under the Constitution and laws of the United States." These two provisions, sir, cover the whole ground. They are, in truth, the keystone of the arch. With these it is a Constitution; without them it is a Confederacy. In pursuance of these clear and ex-

press provisions, Congress established at its very first session in the judicial act a mode for carrying them into full effect and for bringing all questions of constitutional power to the final decision of the Supreme Court. It then, sir, became a government. It then had the means of self-protection; and but for this it would, in all probability, have been now among things which are past. Having constituted the government, and declared its powers, the people have further said, that since somebody must decide on the extent of these powers, the government shall itself decide; subject always, like other popular governments, to its responsibility to the people. And now, sir, I repeat, how is it that a State Legislature acquires any power to interfere? Who, or what, gives them the right to say to the people: "We, who are your agents and servants for one purpose, will undertake to decide that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them!" The reply would be, I think, not impertinent—"Who made you a judge over another's servants? To their own masters they stand or fall."

Sir, I deny this power of State Legislatures altogether. It cannot stand the test of examination. Gentlemen may say that in an extreme case a State government might protect the people from intolerable oppression. Sir, in such a case, the people might protect themselves without the aid of the State governments. Such a case warrants revolution. It must make, when it comes, a law for itself. A nullifying act of a State Legislature cannot alter the case, nor make resistance any more lawful. In maintaining these sentiments, sir, I am but asserting the rights of the people. I state what they have declared, and insist on their right to

declare it. They have chosen to repose this power in the general government, and I think it my duty to support it, like other constitutional powers.

For myself, sir, I do not admit the jurisdiction of South Carolina, or any other State, to prescribe my constitutional duty; or to settle, between me and the people, the validity of laws of Congress for which I have voted. I decline her umpirage. I have not sworn to support the Constitution according to her construction of its clauses. I have not stipulated by my oath of office, or otherwise, to come under any responsibility except to the people and those whom they have appointed to pass upon the question, whether laws, supported by my votes, conform to the Constitution of the country. And, sir, if we look to the general nature of the case, could anything have been more preposterous than to make a government for the whole Union, and yet leave its powers subject, not to one interpretation, but to thirteen or twenty-four interpretations? Instead of one tribunal, established by all, responsible to all, with power to decide for all, shall constitutional questions be left to four-and-twenty popular bodies, each at liberty to decide for itself, and none bound to respect the decisions of others; and each at liberty, too, to give a new construction on every new election of its own members? Would anything with such a principle in it, or rather with such a destitution of all principle, be fit to be called a government? No, sir. It should not be denominated a Constitution. It should be called rather a collection of topics for everlasting controversy; heads of debate for a disputatious people. It would not be a government. It would not be adequate to any practical good, nor fit for any country to live under. To avoid all possibility of being misunderstood, allow me to repeat again in the

fullest manner that I claim no powers for the government by forced or unfair construction. I admit that it is a government of strictly limited powers; of enumerated, specified, and particularized powers; and that whatsoever is not granted is withheld. But notwithstanding all this, and however the grant of powers may be expressed, its limit and extent may yet, in some cases, admit of doubt; and the general government would be good for nothing, it would be incapable of long existing, if some mode had not been provided in which those doubts, as they should arise, might be peaceably but authoritatively solved.

And now, Mr. President, let me run the honorable gentleman's doctrine a little into its practical application. Let us look at his probable *modus operandi*. If a thing can be done, an ingenious man can tell how it is to be done. Now I wish to be informed how this State interference is to be put in practice without violence, bloodshed, and rebellion. We will take the existing case of the tariff law. South Carolina is said to have made up her opinion upon it. If we do not repeal it (as we probably shall not), she will then apply to the case the remedy of her doctrine. She will, we must suppose, pass a law of her Legislature declaring the several acts of Congress, usually called the tariff laws, null and void, so far as they respect South Carolina or the citizens thereof. So far all is a paper transaction, and easy enough. But the collector at Charleston is collecting the duties imposed by these tariff laws—he, therefore, must be stopped. The collector will seize the goods if the tariff duties are not paid. The State authorities will undertake their rescue; the marshal with his posse will come to the collector's aid, and here the contest begins. The militia of the State will be called out to sustain the nullifying

act. They will march, sir, under a very gallant leader, for I believe the honorable member himself commands the militia of that part of the State. He will raise the nullifying act on his standard, and spread it out as his banner! It will have a preamble bearing: "That the tariff laws are palpable, deliberate, and dangerous violations of the Constitution!" He will proceed, with this banner flying, to the custom house in Charleston:

"All the while
Sonorous metal blowing martial sounds."

Arrived at the custom house, he will tell the collector that he must collect no more duties under any of the tariff laws. This he will be somewhat puzzled to say, by the way, with a grave countenance, considering what hand South Carolina herself had in that of 1816. But, sir, the collector would probably not desist at his bidding. He would show him the law of Congress, the Treasury instruction, and his own oath of office. He would say he should perform his duty, come what might. Here would ensue a pause: for they say that a certain stillness precedes the tempest. The trumpeter would hold his breath a while, and before all this military array should fall on the custom house, collector, clerks and all, it is very probable some of those composing it would request of their gallant commander-in-chief to be informed a little upon the point of law; for they have doubtless a just respect for his opinions as a lawyer, as well as for his bravery as a soldier. They know he has read Blackstone and the Constitution, as well as Turenne and Vauban. They would ask him, therefore, something concerning their rights in this matter. They would inquire whether it was not somewhat dangerous to resist a law of the United States. What

would be the nature of their offence, they would wish to learn, if they by military force and array resisted the execution in Carolina of a law of the United States, and it should turn out, after all, that the law was constitutional? He would answer, of course, treason. No lawyer could give any other answer. John Fries, he would tell them, had learned that some years ago. How, then, they would ask, do you propose to defend us? We are not afraid of bullets, but treason has a way of taking people off that we do not much relish. How do you propose to defend us? "Look at my floating banner," he would reply; "see there the nullifying law!" Is it your opinion, gallant commander, they would then say, that if we should be indicted for treason, that same floating banner of yours would make a good plea in bar? "South Carolina is a sovereign State," he would reply. That is true—but would the judge admit our plea? "These tariff laws," he would repeat, "are unconstitutional, palpably, deliberately, dangerously." That all may be so; but if the tribunal should not happen to be of that opinion, shall we swing for it? We are ready to die for our country, but it is rather an awkward business, this dying without touching the ground! After all, that is a sort of hemp tax worse than any part of the tariff.

Mr. President, the honorable gentleman would be in a dilemma like that of another great general. He would have a knot before him which he could not untie. He must cut it with his sword. He must say to his followers, Defend yourselves with your bayonets; and this is war—civil war.

Direct collision, therefore, between force and force is the unavoidable result of that remedy for the revision of

unconstitutional laws which the gentleman contends for. It must happen in the very first case to which it is applied. Is not this the plain result? To resist, by force, the execution of a law generally is treason. Can the courts of the United States take notice of the indulgence of a State to commit treason? The common saying that a State cannot commit treason herself is nothing to the purpose. Can she authorize others to do it? If John Fries had produced an act of Pennsylvania annulling the law of Congress, would it have helped his case? Talk about it as we will, these doctrines go the length of revolution. They are incompatible with any peaceable administration of the government. They lead directly to disunion and civil commotion; and, therefore, it is, that at their commencement, when they are first found to be maintained by respectable men, and in a tangible form, I enter my public protest against them all.

The honorable gentleman argues that if this government be the sole judge of the extent of its own powers, whether that right of judging be in Congress, or the Supreme Court, it equally subverts State sovereignty. This the gentleman sees, or thinks he sees, although he cannot perceive how the right of judging, in this matter, if left to the exercise of State Legislatures, has any tendency to subvert the government of the Union. The gentleman's opinion may be, that the right ought not to have been lodged with the general government; he may like better such a Constitution as we should have under the right of State interference; but I ask him to meet me on the plain matter of fact; I ask him to meet me on the Constitution itself; I ask him if the power is not found there—clearly and visibly found there.

But, sir, what is this danger, and what the grounds of it? Let it be remembered that the Constitution of the United States is not unalterable. It is to continue in its present form no longer than the people who established it shall choose to continue it. If they shall become convinced that they have made an injudicious or inexpedient partition and distribution of power, between the State governments and the general government, they can alter that distribution at will.

If anything be found in the national Constitution, either by original provision, or subsequent interpretation, which ought not to be in it, the people know how to get rid of it. If any construction be established, unacceptable to them, so as to become, practically, a part of the Constitution, they will amend it, at their own sovereign pleasure; but while the people choose to maintain it, as it is; while they are satisfied with it, and refuse to change it, who has given, or who can give, to the State Legislatures a right to alter it, either by interference, construction, or otherwise? Gentlemen do not seem to recollect that the people have any power to do anything for themselves; they imagine there is no safety for them any longer than they are under the close guardianship of the State Legislatures. Sir, the people have not trusted their safety, in regard to the general Constitution, to these hands. They have required other security, and taken other bonds. They have chosen to trust themselves, first, to the plain words of the instrument, and to such construction as the government itself, in doubtful cases, should put on its own powers, under their oaths of office, and subject to their responsibility to them; just as the people of a State trust their own State governments with a similar power. Secondly, they have

reposed their trust in the efficacy of frequent elections, and in their own power to remove their own servants and agents, whenever they see cause. Thirdly, they have reposed trust in the judicial power, which, in order that it might be trustworthy, they have made as respectable, as disinterested, and as independent as was practicable. Fourthly, they have seen fit to rely, in case of necessity, or high expediency, on their known and admitted power, to alter or amend the Constitution, peaceably and quietly, whenever experience shall point out defects or imperfections. And, finally, the people of the United States have, at no time, in no way, directly or indirectly, authorized any State Legislature to construe or interpret their high instrument of government; much less to interfere, by their own power, to arrest its course and operation.

If, sir, the people, in these respects, had done otherwise than they have done, their Constitution could neither have been preserved, nor would it have been worth preserving. And, if its plain provisions shall now be disregarded, and these new doctrines interpolated in it, it will become as feeble and helpless a being as its enemies, whether early or more recent, could possibly desire. It will exist in every State, but as a poor dependent on State permission. It must borrow leave to be and it will be no longer than State pleasure or State discretion sees fit to grant the indulgence and to prolong its poor existence.

But, sir, although there are fears, there are hopes also. The people have preserved this, their own chosen Constitution, for forty years and have seen their happiness, prosperity and renown grow with its growth, and strengthen with its strength. They are now, generally, strongly attached to it. Overthrown by direct assault, it cannot be;

evaded, undermined, nullified, it will not be, if we, and those who shall succeed us here, as agents and representatives of the people, shall conscientiously and vigilantly discharge the two great branches of our public trust—faithfully to preserve and wisely to administer it.

Mr. President, I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious of having detained you and the Senate much too long. I was drawn into the debate with no previous deliberation such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments. I cannot, even now, persuade myself to relinquish it without expressing once more, my deep conviction, that since it respects nothing less than the Union of the States, it is of most vital and essential importance to the public happiness. I profess, sir, in my career, hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home and our consideration and dignity abroad. It is to that Union that we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce and ruined credit. Under its benign influence, these great interests immediately awoke as from the dead and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and, although our territory has stretched out wider and wider, and our population spread further and further, they

have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social and personal happiness. I have not allowed myself, sir, to look beyond the Union to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor in the affairs of this government, whose thoughts should be mainly bent on considering not how the Union should be best preserved, but how tolerable might be the condition of the people when it shall be broken up and destroyed. While the Union lasts we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day, at least, that curtain may not rise. God grant that, on my vision, never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance rather behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto no such miserable interrogatory as, "What is all this worth?" nor those other words of delusion and folly, "Liberty first and union afterward"; but everywhere,

spread all over in characters of living light, blazing on all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty and Union, now and forever one and inseparable!

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## THE CHARACTER OF WASHINGTON

SPEECH DELIVERED IN THE CITY OF WASHINGTON, FEBRUARY 22, 1832, THE CENTENNIAL ANNIVERSARY OF WASHINGTON'S BIRTHDAY

I RISE, gentlemen, to propose to you the name of that great man, in commemoration of whose birth, and in honor of whose character and services, we are here assembled.

I am sure that I express a sentiment common to every one present, when I say that there is something more than ordinarily solemn and affecting in this occasion.

We are met to testify our regard for him whose name is intimately blended with whatever belongs most essentially to the prosperity, the liberty, the free institutions, and the renown of our country. That name was of power to rally a nation, in the hour of thick-thronging public disasters and calamities; that name shone, amid the storm of war, a beacon light, to cheer and guide the country's friends; it flamed, too, like a meteor, to repel her foes. That name, in the days of peace, was a loadstone, attracting to itself a whole people's confidence, a whole people's love, and the whole world's respect. That name, descending with all time, spreading over the whole earth, and uttered in all the languages belonging to the tribes and races of men,

will forever be pronounced with affectionate gratitude by every one in whose breast there shall arise an aspiration for human rights and human liberty.

We perform this grateful duty, gentlemen, at the expiration of a hundred years from his birth, near the place, so cherished and beloved by him, where his dust now reposes, and in the capital which bears his own immortal name.

All experience evinces that human sentiments are strongly influenced by associations. The recurrence of anniversaries, or of longer periods of time, naturally freshens the recollection, and deepens the impression, of events with which they are historically connected. Renowned places, also, have a power to awaken feeling, which all acknowledge. No American can pass by the fields of Bunker Hill, Monmouth, and Camden, as if they were ordinary spots on the earth's surface. Whoever visits them feels the sentiment of love of country kindling anew, as if the spirit that belonged to the transactions which have rendered these places distinguished still hovered round, with power to move and excite all who in future time may approach them.

But neither of these sources of emotion equals the power with which great moral examples affect the mind. When sublime virtues cease to be abstractions, when they become embodied in human character, and exemplified in human conduct, we should be false to our own nature, if we did not indulge in the spontaneous effusions of our gratitude and our admiration. A true lover of the virtue of patriotism delights to contemplate its purest models; and that love of country may be well suspected which affects to soar so high into the regions of sentiment as to be lost and absorbed in the abstract feeling, and becomes too elevated or too re-

fined to glow with fervor in the commendation or the love of individual benefactors. All this is unnatural. It is as if one should be so enthusiastic a lover of poetry as to care nothing for Homer or Milton; so passionately attached to eloquence as to be indifferent to Tully and Chatham; or such a devotee to the arts, in such an ecstasy with the elements of beauty, proportion, and expression, as to regard the masterpieces of Raphael and Michelangelo with coldness or contempt. We may be assured, gentlemen, that he who really loves the thing itself, loves its finest exhibitions. A true friend of his country loves her friends and benefactors, and thinks it no degradation to commend and commemorate them. The voluntary outpouring of the public feeling, made to-day, from the North to the South, and from the East to the West, proves this sentiment to be both just and natural. In the cities and in the villages, in the public temples and in the family circles, among all ages and sexes, gladdened voices to-day bespeak grateful hearts and a freshened recollection of the virtues of the Father of his Country. And it will be so, in all time to come, so long as public virtue is itself an object of regard. The ingenuous youth of America will hold up to themselves the bright model of Washington's example, and study to be what they behold; they will contemplate his character till all its virtues spread out and display themselves to their delighted vision; as the earliest astronomers, the shepherds on the plains of Babylon, gazed at the stars till they saw them form into clusters and constellations, overpowering at length the eyes of the beholders with the united blaze of a thousand lights.

Gentlemen, we are at a point of a century from the birth of Washington; and what a century it has been! During its course, the human mind has seemed to proceed with a

sort of geometric velocity, accomplishing for human intelligence and human freedom more than had been done in fives or tens of centuries preceding. Washington stands at the commencement of a new era, as well as at the head of the New World. A century from the birth of Washington has changed the world. The country of Washington has been the theatre on which a great part of that change has been wrought, and Washington himself a principal agent by which it has been accomplished. His age and his country are equally full of wonders; and of both he is the chief.

If the poetical prediction, uttered a few years before his birth, be true, if indeed it be designed by Providence that the grandest exhibition of human character and human affairs shall be made on this theatre of the Western world; if it be true that,

> "The four first acts already past,
> A fifth shall close the drama with the day;
> Time's noblest offspring is the last";

how could this imposing, swelling, final scene be appropriately opened, how could its intense interest be adequately sustained, but by the introduction of just such a character as our Washington?

Washington had attained his manhood when that spark of liberty was struck out in his own country, which has since kindled into a flame, and shot its beams over the earth. In the flow of a century from his birth, the world has changed in science, in arts, in the extent of commerce, in the improvement of navigation, and in all that relates to the civilization of man. But it is the spirit of human freedom, the new elevation of individual man, in his moral, social, and political character, leading the whole long train of other improvements, which has most remarkably distin-

guished the era. Society, in this century, has not made its progress, like Chinese skill, by a greater acuteness of ingenuity in trifles; it has not merely lashed itself to an increased speed round the old circles of thought and action; but it has assumed a new character; it has raised itself from *beneath* governments to a participation *in* governments; it has mixed moral and political objects with the daily pursuits of individual men; and, with a freedom and strength before altogether unknown, it has applied to these objects the whole power of the human understanding. It has been the era, in short, when the social principle has triumphed over the feudal principle; when society has maintained its rights against military power, and established, on foundations never hereafter to be shaken, its competency to govern itself.

It was the extraordinary fortune of Washington, that, having been intrusted, in revolutionary times, with the supreme military command, and having fulfilled that trust with equal renown for wisdom and for valor, he should be placed at the head of the first government in which an attempt was to be made on a large scale to rear the fabric of social order on the basis of a written constitution and of a pure representative principle. A government was to be established, without a throne, without an aristocracy, without castes, orders, or privileges; and this government, instead of being a democracy, existing and acting within the walls of a single city, was to be extended over a vast country, of different climates, interests, and habits, and of various communions of our common Christian faith. The experiment certainly was entirely new. A popular government of this extent, it was evident, could be framed only by carrying into full effect the principle of representation or of dele-

gated power; and the world was to see whether society could, by the strength of this principle, maintain its own peace and good government, carry forward its own great interests, and conduct itself to political renown and glory. By the benignity of Providence, this experiment, so full of interest to us and to our posterity forever, so full of interest, indeed, to the world in its present generation and in all its generations to come, was suffered to commence under the guidance of Washington. Destined for this high career, he was fitted for it by wisdom, by virtue, by patriotism, by discretion, by whatever can inspire confidence in man toward man. In entering on the untried scenes, early disappointment and the premature extinction of all hope of success would have been certain, had it not been that there did exist throughout the country, in a most extraordinary degree, an unwavering trust in him who stood at the helm.

I remarked, gentlemen, that the whole world was and is interested in the result of this experiment. And is it not so? Do we deceive ourselves, or is it true that at this moment the career which this government is running is among the most attractive objects to the civilized world? Do we deceive ourselves, or is it true that at this moment that love of liberty and that understanding of its true principles which are flying over the whole earth, as on the wings of all the winds, are really and truly of American origin?

At the period of the birth of Washington, there existed in Europe no political liberty in large communities, except in the provinces of Holland, and except that England herself had set a great example, so far as it went, by her glorious Revolution of 1688. Everywhere else, despotic power

was predominant, and the feudal or military principle held the mass of mankind in hopeless bondage. One-half of Europe was crushed beneath the Bourbon sceptre, and no conception of political liberty, no hope even of religious toleration, existed among that nation which was America's first ally. The king was the State, the king was the country, the king was all. There was one king, with power not derived from his people, and too high to be questioned; and the rest were all subjects, with no political right but obedience. All above was intangible power, all below quiet subjection. A recent occurrence in the French Chambers shows us how public opinion on these subjects is changed. A minister had spoken of the "king's subjects." "There are no subjects," exclaimed hundreds of voices at once, "in a country where the people make the king!"

Gentlemen, the spirit of human liberty and of free government, nurtured and grown into strength and beauty in America, has stretched its course into the midst of the nations. Like an emanation from heaven, it has gone forth, and it will not return void. It must change, it is fast changing the face of the earth. Our great, our high duty is to show, in our own example, that this spirit is a spirit of health as well as a spirit of power; that its benignity is as great as its strength; that its efficiency to secure individual rights, social relations, and moral order, is equal to the irresistible force with which it prostrates principalities and powers. The world, at this moment, is regarding us with a willing, but something of a fearful admiration. Its deep and awful anxiety is to learn whether free States may be stable, as well as free; whether popular power may be trusted, as well as feared; in short, whether, wise, regular,

and virtuous self-government is a vision for the contemplation of theorists, or a truth established, illustrated, and brought into practice in the country of Washington.

Gentlemen, for the earth which we inhabit, and the whole circle of the sun, for all the unborn races of mankind, we seem to hold in our hands, for their weal or woe, the fate of this experiment. If we fail, who shall venture the repetition? If our example shall prove to be one, not of encouragement, but of terror, not fit to be imitated, but fit only to be shunned, where else shall the world look for free models? If this great Western Sun be struck out of the firmament, at what other fountain shall the lamp of liberty hereafter be lighted? What other orb shall emit a ray to glimmer, even, on the darkness of the world?

There is no danger of our overrating or overstating the important part which we are now acting in human affairs. It should not flatter our personal self-respect, but it should reanimate our patriotic virtues, and inspire us with a deeper and more solemn sense, both of our privileges and of our duties. We cannot wish better for our country, nor for the world, than that the same spirit which influenced Washington may influence all who succeed him; and that the same blessing from above, which attended his efforts, may also attend theirs.

The principles of Washington's administration are not left doubtful. They are to be found in the Constitution itself, in the great measures recommended and approved by him, in his speeches to Congress, and in that most interesting paper, his Farewell Address to the People of the United States. The success of the government under his administration is the highest proof of the soundness of these

principles. And, after an experience of thirty-five years, what is there which an enemy could condemn? What is there which either his friends, or the friends of the country, could wish to have been otherwise? I speak, of course, of great measures and leading principles.

In the first place, all his measures were right in their intent. He stated the whole basis of his own great character, when he told the country, in the homely phrase of the proverb, that honesty is the best policy. One of the most striking things ever said of him is, that "he changed mankind's ideas of political greatness." To commanding talents, and to success, the common elements of such greatness, he added a disregard of self, a spotlessness of motive, a steady submission to every public and private duty, which threw far into the shade the whole crowd of vulgar great. The object of his regard was the whole country. No part of it was enough to fill his enlarged patriotism. His love of glory, so far as that may be supposed to have influenced him at all, spurned everything short of general approbation. It would have been nothing to him, that his partisans or his favorites outnumbered, or outvoted, or outmanaged, or outclamored, those of other leaders. He had no favorites; he rejected all partisanship; and, acting honestly for the universal good, he deserved, what he has so richly enjoyed, the universal love.

His principle it was to act right, and to trust the people for support; his principle it was not to follow the lead of sinister and selfish ends, nor to rely on the little arts of party delusion to obtain public sanction for such a course. Born for his country and for the world, he did not give up to party what was meant for mankind. The consequence is that his fame is as durable as his principles,

as lasting as truth and virtue themselves. While the hundreds whom party excitement, and temporary circumstances, and casual combinations, have raised into transient notoriety, sink again, like thin bubbles, bursting and dissolving into the great ocean, Washington's fame is like the rock which bounds that ocean, and at whose feet its billows are destined to break harmlessly forever.

The maxims upon which Washington conducted our foreign relations were few and simple. The first was an entire and indisputable impartiality toward foreign States. He adhered to this rule of public conduct, against very strong inducements to depart from it, and when the popularity of the moment seemed to favor such a departure. In the next place, he maintained true dignity and unsullied honor in all communications with foreign States. It was among the high duties devolved upon him, to introduce our new government into the circle of civilized States and powerful nations. Not arrogant or assuming, with no unbecoming or supercilious bearing, he yet exacted for it from all others entire and punctilious respect. He demanded, and he obtained at once, a standing of perfect equality for his country in the society of nations; nor was there a prince or potentate of his day, whose personal character carried with it, into the intercourse of other States, a greater degree of respect and veneration.

He regarded other nations only as they stood in political relations to us. With their internal affairs, their political parties and dissensions, he scrupulously abstained from all interference; and, on the other hand, he repelled with spirit all such interference by others with us or our concerns. His sternest rebuke, the most indignant measure of his whole administration, was aimed against such an at-

tempted interference. He felt it as an attempt to wound the national honor, and resented it accordingly.

The reiterated admonitions in his Farewell Address show his deep fears that foreign influence would insinuate itself into our counsels through the channels of domestic dissension, and obtain a sympathy with our own temporary parties. Against all such dangers, he most earnestly entreats the country to guard itself. He appeals to its patriotism, to its self-respect, to its own honor, to every consideration connected with its welfare and happiness, to resist, at the very beginning, all tendencies toward such connection of foreign interests with our own affairs. With a tone of earnestness nowhere else found, even in his last affectionate farewell advice to his countrymen, he says, "Against the insidious wiles of foreign influence (I conjure you to believe me, fellow citizens), the jealousy of a free people ought to be *constantly* awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government."

Lastly, on the subject of foreign relations, Washington never forgot that we had interests peculiar to ourselves. The primary political concerns of Europe, he saw, did not affect us. We had nothing to do with her balance of power, her family compacts, or her successions to thrones. We were placed in a condition favorable to neutrality during European wars, and to the enjoyment of all the great advantages of that relation. "Why, then," he asks us, "why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?"

Indeed, gentlemen, Washington's Farewell Address is full of truths important at all times, and particularly deserving consideration at the present. With a sagacity which brought the future before him, and made it like the present, he saw and pointed out the dangers that even at this moment most imminently threaten us. I hardly know how a greater service of that kind could now be done to the community, than by a renewed and wide diffusion of that admirable paper, and an earnest invitation to every man in the country to reperuse and consider it. Its political maxims are invaluable; its exhortations to love of country and to brotherly affection among citizens, touching; and the solemnity with which it urges the observance of moral duties, and impresses the power of religious obligation, gives to it the highest character of truly disinterested, sincere, parental advice.

The domestic policy of Washington found its pole-star in the avowed objects of the Constitution itself. He sought so to administer that Constitution, as to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty. These were objects interesting, in the highest degree, to the whole country, and his policy embraced the whole country.

Among his earliest and most important duties was the organization of the government itself, the choice of his confidential advisers, and the various appointments to office. This duty, so important and delicate, when a whole government was to be organized, and all its offices for the first time filled, was yet not difficult to him; for he had no sinister ends to accomplish, no clamorous partisans to gratify, no pledges to redeem, no object to be regarded

but simply the public good. It was a plain, straightforward matter, a mere honest choice of good men for the public service.

His own singleness of purpose, his disinterested patriotism, were evinced by the selection of his first Cabinet, and by the manner in which he filled the seats of justice, and other places of high trust. He sought for men fit for offices; not for offices which might suit men. Above personal considerations, above local considerations, above party considerations, he felt that he could only discharge the sacred trust which the country had placed in his hands, by a diligent inquiry after real merit, and a conscientious preference of virtue and talent. The whole country was the field of his selection. He explored that whole field, looking only for whatever it contained most worthy and distinguished. He was, indeed, most successful, and he deserved success for the purity of his motives, the liberality of his sentiments, and his enlarged and manly policy.

Washington's administration established the national credit, made provision for the public debt, and for that patriotic army whose interests and welfare were always so dear to him; and, by laws wisely framed, and of admirable effect, raised the commerce and navigation of the country, almost at once, from depression and ruin to a state of prosperity. Nor were his eyes open to these interests alone. He viewed with equal concern its agriculture and manufactures, and, so far as they came within the regular exercise of the powers of this government, they experienced regard and favor.

It should not be omitted, even in this slight reference to the general measures and general principles of the first President, that he saw and felt the full value and importance of

the judicial department of the government. An upright and able administration of the laws he held to be alike indispensable to private happiness and public liberty. The temple of justice, in his opinion, was a sacred place, and he would profane and pollute it who should call any to minister in it, not spotless in character, not incorruptible in integrity, not competent by talent and learning, not a fit object of unhesitating trust.

Among other admonitions, Washington has left us, in his last communication to his country, an exhortation against the excesses of party spirit. A fire not to be quenched, he yet conjures us not to fan and feed the flame. Undoubtedly, gentlemen, it is the greatest danger of our system and of our time. Undoubtedly, if that system should be overthrown, it will be the work of excessive party spirit, acting on the government, which is dangerous enough, or acting *in* the government, which is a thousand times more dangerous; for government then becomes nothing but organized party, and, in the strange vicissitudes of human affairs, it may come at last, perhaps, to exhibit the singular paradox of government itself being in opposition to its own powers, at war with the very elements of its own existence. Such cases are hopeless. As men may be protected against murder, but cannot be guarded against suicide, so government may be shielded from the assaults of external foes, but nothing can save it when it chooses to lay violent hands on itself.

Finally, gentlemen, there was in the breast of Washington one sentiment so deeply felt, so constantly uppermost, that no proper occasion escaped without its utterance. From the letter which he signed in behalf of the Convention when the Constitution was sent out to the people, to

the moment when he put his hand to that last paper in which he addressed his countrymen, the Union—the Union was the great object of his thoughts. In that first letter he tells them that, to him and his brethren of the Convention, union appears to be the greatest interest of every true American; and in that last paper he conjures them to regard that unity of government which constitutes them one people as the very palladium of their prosperity and safety, and the security of liberty itself. He regarded the union of these States less as one of our blessings, than as the great treasure-house which contained them all. Here, in his judgment, was the great magazine of all our means of prosperity; here, as he thought, and as every true American still thinks, are deposited all our animating prospects, all our solid hopes for future greatness. He has taught us to maintain this union, not by seeking to enlarge the powers of the government, on the one hand, nor by surrendering them, on the other; but by an administration of them at once firm and moderate, pursuing objects truly national, and carried on in a spirit of justice and equity.

The extreme solicitude for the preservation of the Union, at all times manifested by him, shows not only the opinion he entertained of its importance, but his clear perception of those causes which were likely to spring up to endanger it, and which, if once they should overthrow the present system, would leave little hope of any future beneficial reunion. Of all the presumptions indulged by presumptuous man, that is one of the rashest which looks for repeated and favorable opportunities for the deliberate establishment of a united government over distinct and widely extended communities. Such a thing has happened once in human affairs, and but once; the event stands out as a prominent

exception to all ordinary history, and unless we suppose ourselves running into an age of miracles, we may not expect its repetition.

Washington, therefore, could regard, and did regard, nothing as of paramount political interest, but the integrity of the Union itself. With a united government, well administered, he saw that we had nothing to fear; and without it, nothing to hope. The sentiment is just, and its momentous truth should solemnly impress the whole country. If we might regard our country as personated in the spirit of Washington, if we might consider him as representing her, in her past renown, her present prosperity, and her future career, and as in that character demanding of us all to account for our conduct, as political men or as private citizens, how should he answer him who has ventured to talk of disunion and dismemberment? Or how should he answer him who dwells perpetually on local interests, and fans every kindling flame of local prejudice? How should he answer him who would array State against State, interest against interest, and party against party, careless of the continuance of that unity of government which constitutes us one people?

The political prosperity which this country has attained, and which it now enjoys, has been acquired mainly through the instrumentality of the present government. While this agent continues, the capacity of attaining to still higher degrees of prosperity exists also. We have, while this lasts, a political life capable of beneficial exertion, with power to resist or overcome misfortunes, to sustain us against the ordinary accidents of human affairs, and to promote, by active efforts, every public interest. But dismemberment strikes at the very being which preserves these faculties.

It would lay its rude and ruthless hand on this great agent itself. It would sweep away, not only what we possess, but all power of regaining lost, or acquiring new possessions. It would leave the country, not only bereft of its prosperity and happiness, but without limbs, or organs, or faculties, by which to exert itself hereafter in the pursuit of that prosperity and happiness.

Other misfortunes may be borne, or their effects overcome. If disastrous war should sweep our commerce from the ocean, another generation may renew it; if it exhaust our treasury, future industry may replenish it; if it desolate and lay waste our fields, still, under a new cultivation, they will grow green again, and ripen to future harvests. It were but a trifle even if the walls of yonder Capitol were to crumble, if its lofty pillars should fall, and its gorgeous decorations be all covered by the dust of the valley. All these might be rebuilt. But who shall reconstruct the fabric of demolished government? Who shall rear again the well-proportioned columns of constitutional liberty? Who shall frame together the skilful architecture which unites national sovereignty with State rights, individual security, and public prosperity? No, if these columns fall, they will be raised not again. Like the Coliseum and the Parthenon, they will be destined to a mournful, a melancholy immortality. Bitterer tears, however, will flow over them, than were ever shed over the monuments of Roman or Grecian art; for they will be the remnants of a more glorious edifice than Greece or Rome ever saw, the edifice of constitutional American liberty.

But let us hope for better things. Let us trust in that gracious Being who has hitherto held our country as in the hollow of his hand. Let us trust to the virtue and the

intelligence of the people, and to the efficacy of religious obligation. Let us trust to the influence of Washington's example. Let us hope that that fear of Heaven which expels all other fear, and that regard to duty which transcends all other regard, may influence public men and private citizens, and lead our country still onward in her happy career. Full of these gratifying anticipations and hopes, let us look forward to the end of that century which is now commenced. A hundred years hence, other disciples of Washington will celebrate his birth, with no less of sincere admiration than we now commemorate it. When they shall meet, as we now meet, to do themselves and him that honor, so surely as they shall see the blue summits of his native mountains rise in the horizon, so surely as they shall behold the river on whose banks he lived, and on whose banks he rests, still flowing on toward the sea, so surely may they see, as we now see, the flag of the Union floating on the top of the Capitol; and then, as now, may the sun in his course visit no land more free, more happy, more lovely, than this our own country!

Gentlemen, I propose—"THE MEMORY OF GEORGE WASHINGTON."

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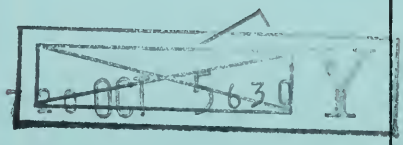

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